

MAINE STATE LEGISLATURE

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LAWS
OF THE
STATE OF MAINE

AS PASSED BY THE

ONE HUNDRED AND NINETEENTH LEGISLATURE

FIRST REGULAR SESSION
December 2, 1998 to June 19, 1999

THE GENERAL EFFECTIVE DATE FOR
FIRST REGULAR SESSION
NON-EMERGENCY LAWS IS
SEPTEMBER 18, 1999

PUBLISHED BY THE REVISOR OF STATUTES
IN ACCORDANCE WITH MAINE REVISED STATUTES ANNOTATED,
TITLE 3, SECTION 163-A, SUBSECTION 4.

J.S. McCarthy Company
Augusta, Maine
1999

CHAPTER 401

H.P. 454 - L.D. 617

An Act to Make Supplemental Appropriations and Allocations for the Expenditures of State Government and to Change Certain Provisions of the Law Necessary to the Proper Operations of State Government for the Fiscal Years Ending June 30, 2000 and June 30, 2001

Preamble. The Constitution of Maine, Article V, Part First, Section 8 provides that certain statutes enacted relating to confirmation procedures for gubernatorial nominees require a 2/3 vote of the members of each House present and voting.

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the 90-day period may not terminate until after the beginning of the next fiscal year; and

Whereas, certain obligations and expenses incident to the operation of state departments and institutions will become due and payable immediately after July 1, 1999; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

PART A

Sec. A-1. Supplemental appropriations from General Fund. There are appropriated from the General Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed the following sums.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Bureau of Accounts and Control		
Positions - Legislative Count	(-3,000)	(-3,000)
Personal Services	(\$154,467)	(\$163,995)
Provides for the deappropriation of funds		

through the transfer of 2 Programmer Analyst positions and one Senior Programmer Analyst position to the Information Services program. This deappropriation is to be offset by an appropriation to the Bureau of Accounts and Control System Project program in order to pay the Bureau of Information Services for the support of the central administrative system.

Bureau of Accounts and Control System Project

All Other	154,467	163,995
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Provides for the appropriation of funds to be used for the payment of data processing charges related to the support of the central administrative system. This appropriation will be offset by a deappropriation of funds in the Bureau of Accounts and Control account through the transfer of 3 positions to the Information Services program.

Buildings and Grounds Operations

All Other	670,000	693,375
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Provides for the appropriation of funds for the maintenance of the East Campus.

Capital Construction - Repairs Improve - Renovate State Facilities

All Other	1,038,662	1,779,852
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Provides for the appropriation of funds for the costs of temporary relocations and moves associated with the reconstruction of the State House and the Tyson, Marquardt and State Office Buildings as well

as the increased rent expenses at Edison Drive.

Tax Program in order to merge the 2 programs.

Debt Service - Government Facilities Authority

All Other 7,271,250

Provides for the appropriation of funds to pay debt service incurred by the Government Facilities Authority for the renovation of various state buildings and the construction and renovation of corrections facilities.

Notwithstanding the Maine Revised Statutes, Title 5, section 1585, the State Budget Officer shall calculate the amounts that apply against each agency based on the space occupied and the rental cost of that space and shall transfer the calculated amounts by financial order. These transfers are to be considered adjustments to appropriations and allocations. The State Budget Officer is authorized to adjust allotments by financial order in accounts in other funds to meet the additional rent expenditures.

Elderly Household's Tax Refund

All Other (224,075) (230,573)

Provides for the deappropriation of funds to reflect the transfer of administrative expenses from this program to the Bureau of Revenue Services program.

Elderly Household's Tax Refund

All Other (4,530,357) (4,250,901)

Provides for the deappropriation of funds through a transfer to the Maine Residents Property

Public Improvements - Planning/Construction - Admin

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	50,594	51,035
All Other	13,980	14,387
TOTAL	64,574	65,422

Provides for the appropriation of funds from the transfer of one Engineering Technician IV position and related All Other from the Public Improvements Safety and Environmental Services program, which is to be eliminated.

Public Improvements - Planning/Construction - Admin

All Other 250,000

Provides for the appropriation of funds to capitalize the Augusta Riverfront Improvement Authority and for the Augusta Arsenal Project. These funds will be transferred to the authority.

Public Improvements - Division of Safety and Environmental Services

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(50,594)	(51,035)
All Other	(13,980)	(14,387)
TOTAL	(64,574)	(65,422)

Provides for the deappropriation of funds through the transfer of one Engineering Technician IV position and related All Other to the Public Improvements Planning and Construction Administration account to implement the elimination of the Public Improvements - Division of Safety and Environmental Services program.

Division of Purchases

All Other 275,000 27,500
 Provides for the appropriation of funds to develop request-for-proposal requirements and to purchase a client/server purchasing system with Internet interfaces.

services provided by the Bureau of Information Services. The positions are on file in the Bureau of the Budget.

Maine Residents Property Tax Program

All Other (99,589) (102,477)
 Provides for the deappropriation of funds to reflect the transfer of administrative expenses from this program to the Bureau of Revenue Services program.

Bureau of Revenue Services

Positions - Legislative Count (35,000) (35,000)
 Personal Services 440,153 921,190
 All Other (440,153) (1,053,269)

TOTAL 0 (132,079)

Maine Residents Property Tax Program

All Other 4,530,357 4,250,901
 Provides for the appropriation of funds through a transfer from the Elderly Householders Tax Refund program to merge the 2 programs.

Provides for the appropriation of funds for 2 Data Entry Specialist positions, 3 Clerk IV positions, 8 Clerk III positions, 12 Clerk II positions, one Clerk Typist III position and 9 Clerk Typist II positions and related All Other to discontinue the outsourcing of various administrative functions. The bureau will phase in the transition to state-funded positions by January 2000.

Bureau of Revenue Services

Positions - Legislative Count (5,000)
 Personal Services 171,196
 All Other 147,650

TOTAL 318,846

Bureau of Revenue Services

All Other 323,664 333,050
 Provides for the appropriation of funds for administrative expenses through a transfer from the Maine Residents Property Tax and Elderly Householders Tax Refund programs.

Provides for the appropriation of funds for 4 Tax Examiner positions, one Management Analyst I position and related All Other costs. The compliance unit positions will focus on nonfilers of individual income tax and IRS LP/EX audit program functions, resulting in an increase in General Fund revenue of \$3,000,000 in fiscal year 2000-01.

Bureau of Revenue Services

Positions - Legislative Count (-9,000) (-9,000)
 Personal Services (428,886) (439,620)
 All Other 428,886 439,620
 TOTAL 0 0

Salary Plan

Personal Services 6,401,734 12,252,268

Provides for the deappropriation of funds in Personal Services through the transfer of 9 positions to the Information Services program and for the reappropriation of funds in All Other in order to pay the costs associated with data processing

Provides for the appropriation of funds for the Salary Plan.

Buildings and Grounds Operations

<p>All Other (29,619) (31,616)</p> <p>Provides for the deappropriation of funds to reflect the elimination of contractual services provided for Blaine House operations.</p> <p>Bureau of General Services - Capital Construction and Improvement Reserve Fund</p> <p>All Other 500,000</p> <p>Provides funds for the programming study, feasibility planning and design work in fiscal year 2000 for the new Forensic Unit. The Commissioner of Administrative and Financial Services and the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, working jointly, shall report to the Joint Standing Committee on Appropriations and Financial Affairs by January 14, 2000 concerning the results of this study.</p> <p>Homestead Property Tax Exemption Reimbursement</p> <p>All Other (1,100,000)</p> <p>Provides for the deappropriation of funds to be replaced through the use of balance forward from fiscal year 1998-99.</p> <p>Homestead Property Tax Exemption - Mandate Reimbursement</p> <p>All Other (60,000)</p> <p>Provides for the deappropriation of funds to be replaced through the use of balance forward from fiscal year 1998-99.</p> <p>Maine Residents Property Tax Program</p> <p>All Other (1,800,000)</p> <p>Provides for the deappropriation of funds to be replaced through the</p>	<p>use of balance forward from fiscal year 1998-99.</p> <p>Maine Residents Property Tax Program</p> <p>All Other (2,250,000) (2,250,000)</p> <p>Provides for the deappropriation of funds no longer required based on an assessment of program needs.</p> <p>Personal Property Tax Reform</p> <p>All Other 3,125,637</p> <p>Provides for the appropriation of funds to meet the ongoing costs of claims in the program.</p> <p>Tree Growth Tax Reimbursement</p> <p>All Other (700,000)</p> <p>Provides for the deappropriation of funds to be replaced through the use of balance forward from fiscal year 1998-99.</p> <p>DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL</p> <hr/> <p>6,321,414 19,929,396</p> <p>AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF</p> <p>Division of Plant Industry</p> <p>All Other 2,236 2,223</p> <p>Provides for the appropriation of funds for participation in the centralized Licensing Service Center to provide seamless and automated licensing services that are Internet accessible.</p> <p>Office of Planning, Policy, Legislation and Information Svcs</p> <p>All Other 1,350 1,350</p> <p>Provides for the appropriation of funds for participation in the centralized Licensing Service Center to provide seamless and automated</p>
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licensing services that are Internet accessible.		
Division of Market and Production Development		
All Other	250,000	250,000
Provides for the appropriation of funds for increased effort in marketing for Maine agribusiness. The Commissioner of Agriculture, Food and Rural Resources shall submit reports on the effectiveness of these expenditures in improving agricultural marketing efforts to the joint standing committees of the Legislature having jurisdiction over appropriations and financial affairs and agriculture, conservation and forestry matters. The first report is due not later than January 14, 2000. The 2nd report is due not later than January 12, 2001.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL	<u>253,586</u>	<u>253,573</u>
ARTS COMMISSION, MAINE		
Arts - Administration Program		
All Other	347,870	356,615
Provides for the appropriation of funds through a transfer from the Arts - Sponsored program for the purpose of combining the 2 programs.		
Arts - Sponsored Program		
All Other	(347,870)	(356,615)
Provides for the deappropriation of funds through a transfer to the Arts - Administration program for the purpose of combining the 2 programs.		

MAINE ARTS COMMISSION TOTAL	<u>0</u>	<u>0</u>
ATTORNEY GENERAL, DEPARTMENT OF THE		
Administration - Attorney General		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	50,660	52,343
All Other	4,665	4,702
TOTAL	<u>55,325</u>	<u>57,045</u>
Provides for the appropriation of funds for one Assistant Attorney General position and related All Other costs required to represent the Department of Corrections. Funds will be deappropriated from the Department of Corrections Northern Maine Juvenile Facility with the elimination of one Nurse II position to support this request.		
Administration - Attorney General		
All Other	114,000	
Provides for the appropriation of funds for one-time technology costs associated with the purchase of approximately 45 personal computers to replace outdated equipment.		
Human Services Division		
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	75,990	104,686
All Other	9,585	6,980
TOTAL	<u>85,575</u>	<u>111,666</u>
Provides for the appropriation of funds to establish 2 Assistant Attorney General positions and related costs to handle child protective cases.		
DEPARTMENT OF THE ATTORNEY GENERAL TOTAL	<u>254,900</u>	<u>168,711</u>

**CONSERVATION,
DEPARTMENT OF**

Geological Survey

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(62,829)	(62,829)
All Other	62,829	62,829
TOTAL	<u>0</u>	<u>0</u>

Provides for the appropriation of funds through a line-category transfer to support a cooperative agreement with the University of Maine System to share the cost of one Marine Geologist position, address grant matching requirements and support field work. One Marine Geologist position in this program is transferred to the University of Maine System.

**DEPARTMENT OF
CONSERVATION
TOTAL**

<u>0</u>	<u>0</u>
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**CORRECTIONS,
DEPARTMENT OF**

Administration - Corrections

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	78,644	109,880
All Other	359,240	17,764
TOTAL	<u>437,884</u>	<u>127,644</u>

Provides for the appropriation of funds for one Agency Technology Officer position and one Information Systems Support Specialist II position, including the All Other costs to support these positions and to provide funds to develop an information system. The Agency Technology Officer position and the Information Systems Support Specialist II position start October 1, 1999.

Administration - Corrections

Positions - Legislative Count	(4,000)	(4,000)
Personal Services	131,712	184,103
All Other	109,076	440,621

TOTAL	<u>240,788</u>	<u>624,724</u>
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Provides for the appropriation of funds for one Systems Analyst position, one Data Control Specialist position, One User Support Trainer position, one User Support Technician position and related All Other expenses. Included in the All Other are funds to continue the contract for a departmentwide technology master plan.

Correctional Center

Positions - Legislative Count	(1,000)	(21,000)
Personal Services	29,489	659,681
All Other	6,169	250,680
TOTAL	<u>35,658</u>	<u>910,361</u>

Provides for the appropriation of funds for 14 Correctional Officer I positions, one Unit Manager position, one Staff Development IV position, one Correctional Maintenance Mechanic position, one Account Clerk I position, one Case Manager position, one Assistant Classification Officer position and one Industrial Shop Supervisor position. This request is for the staffing and operations of a new 100-bed female dormitory at the Maine Correctional Center. The Staff Development position will start October 1, 1999 while other positions will start during fiscal year 2000-01. The schedule of starting dates has been provided to the Bureau of the Budget.

Correctional Center

Positions - Legislative Count	(0,500)	(0,500)
Personal Services	21,559	29,738

Provides for the appropriation of funds to establish one part-time Teacher position at the

Maine Correctional Center due to reduced federal funding.

Correctional Center

Positions - Legislative Count	(1,000)	
Personal Services	54,999	
All Other	10,000	
TOTAL		64,999

Provides for the appropriation of funds for one Vocational Trades Instructor position in fiscal year 2000-01 and to permit the continuation of the Computers for Schools program that was established with grant funds.

Juvenile Community Corrections

Positions - Legislative Count	(56,500)	(56,500)
Personal Services	2,718,282	2,807,139
All Other	572,441	590,163
TOTAL	3,290,723	3,397,302

Provides for the appropriation of funds to permit the transfer of the Juvenile Community Corrections activities from the Probation and Parole program account. The adult and juvenile community corrections program activities have different operational requirements that makes it necessary for management to monitor them independently. The title Probation Officer will be replaced with that of Juvenile Community Corrections Officer for those officers working with juveniles.

Juvenile Community Corrections

Positions - Legislative Count	(17,000)	
Personal Services	633,824	
All Other	630,133	1,414,514
TOTAL	630,133	2,048,338

Provides for the appropriation of funds to

establish 17 positions to implement the Department of Corrections' plan for Juvenile Community Corrections: One Resource Coordinator position, one Victim Services Liaison position, 13 Juvenile Caseworker positions and 2 Clerk Typist II positions. Seven of the 13 Juvenile Caseworker positions take effect on January 1, 2001.

Northern Maine Juvenile Detention Facility

Positions - Legislative Count	(11,000)	(133,000)
Personal Services	494,290	1,380,299
All Other	19,186	159,529
TOTAL	513,476	1,539,828

Provides for the appropriation of funds to establish the Northern Maine Juvenile Facility. Establishes 3 positions in fiscal year 1999-00. Provides funding to reclassify 11 positions effective October 1, 1999. Eight of the 11 positions being reclassified are currently at Charleston Correctional Facility, and these positions will be transferred to the Northern Maine Juvenile Facility effective October 1, 1999. Establishes 111 additional positions in fiscal year 2000-01. Transfers 11 additional positions from the Charleston Correctional Facility to the Northern Maine Juvenile Facility in fiscal year 2000-01. Positions are on file with the Bureau of the Budget.

Northern Maine Juvenile Detention Facility

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(38,925)	(40,093)
All Other	(16,400)	(16,952)
TOTAL	(55,325)	(57,045)

Provides for the deappropriation of funds from the elimination of one Nurse II position and all other expenses in order to provide the necessary headcount and funding to establish one Assistant Attorney General position in the Department of the Attorney General. This position will provide legal counsel to the Department of Corrections.

Probation and Parole

All Other	219,693	243,365
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Provides for the appropriation of funds for the rental of space, cell phones and vehicle lease rentals for the adult probation program.

Probation and Parole

Positions - Legislative Count	(-56,500)	(-56,500)
Personal Services	(2,718,282)	(2,807,139)
All Other	(572,441)	(590,163)
TOTAL	(3,290,723)	(3,397,302)

Provides for the deappropriation of funds to permit the transfer of the Juvenile Community Corrections activities from the Probation and Parole program into a separate program account for Juvenile Community Corrections. The differences between the adult probation and parole activities and the juvenile community corrections activities make it necessary to budget and manage these activities under separate program accounts. Position details are on file with the Bureau of the Budget.

Youth Center - Maine

Positions - Legislative Count	(7,000)	(-19,500)
Personal Services	252,470	588,896

Provides for the appropriation of funds for the establishment of the Southern Maine Juvenile

Facility. Establishes 20.5 new positions as follows: effective October 1, 1999 - one Internal Investigator position, one Information System Support Specialist II position, one Juvenile Program Manager position, one Guidance Counselor position, one Special Education Director position, one Clerk Typist III position, one Training School Counselor Supervisor position, one Staff Development Specialist III position, one Psychologist II position; effective July 1, 2000 - 0.5 Chief Volunteer Services position, one Juvenile Program Manager position, one Clerk Typist III position, one Accountant III position, one Master Social Worker position; effective January 1, 2001 - one Building Control Specialist position, one Storekeeper I position, one Correctional Cook position, one Librarian II position; and effective May 1, 2001 - 3 Vocational Trades Instructor positions. Abolishes 40 positions as follows: effective October 1, 1999 - one Assistant to the Superintendent position, Maine Youth Center; effective July 1, 2000 - one Account Clerk I position, one Accountant II position; effective January 1, 2001 - one Correctional Maintenance Mechanic position, one Baker II position; effective June 15, 2001 - 8 Teacher positions, 5 Teacher Aide positions, one Food Service Worker position, one Institutional Clothing Supervisor position, one Correctional Caseworker position, 16 Training School Counselor I positions, one Clerk Typist II position,

one Laborer II position and one Plumber II position.

Youth Center - Maine

Positions - FTE Count	(1,321)	(1,321)
Personal Services	17,150	17,150
All Other	(17,150)	(17,150)
TOTAL	<u>0</u>	<u>0</u>

Provides for the appropriation of funds to establish 12 intermittent Substitute Teacher positions (2,748 hours total). These services are currently provided through contractual services.

Youth Center - Maine

All Other	(72,389)
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Provides for the deappropriations of funds from contracted health services. These services will be paid for by one-time money in the Maine Youth Center - Other Special Revenue fund account.

Charleston Correctional Facility

Positions - Legislative Count	(-8,000)	(-19,000)
Personal Services	(384,648)	(461,083)

Provides for the deappropriation of funds to transfer 8 positions effective October 1, 1999 and an additional 11 positions after March 2001 to the Northern Maine Juvenile Facility as part of the department's reorganization plan. Positions are on file with the Bureau of the Budget.

Probation and Parole

Positions - Legislative Count	(4,000)	(10,000)
Personal Services	105,542	454,772
All Other	147,928	138,528
TOTAL	<u>253,470</u>	<u>593,300</u>

Provides for the appropriation of funds to establish 8 Probation Officer positions and 2

Clerk Typist II positions to begin implementing the adult community corrections master plan. Six of the 8 Probation Officer positions will take effect July 1, 2000.

Youth Center - Maine

Positions - Legislative Count	(1,000)	
Personal Services	41,795	
All Other	93,221	92,143
TOTAL	<u>135,016</u>	<u>92,143</u>

Provides for the appropriation of funds to establish one Psychologist II position and provides funds in All Other to contract for psychiatric care, crisis intervention training and support, to enhance mental health services for juvenile offenders.

DEPARTMENT OF CORRECTIONS

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Administration - Defense, Veterans and Emergency Management

All Other	25,000	25,000
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Provides for the appropriation of funds through a transfer of All Other grant funds for the Civil Air Patrol from the Department of Transportation, Administration - Aeronautics program, and increases the support for the Civil Air Patrol.

Administration - Maine Emergency Management Agency

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(35,311)	(37,362)

Provides for the deappropriation of funds through the elimination of the General Fund share of

one Staff Development Specialist IV position and one Planning and Research Assistant position. Funding for these positions is no longer required due to a reduction in federal funding.

(8,820 hours) to comply with student Individual Education Programs as required by Federal law. This request will be offset through the elimination of 2 Teacher positions and a deappropriation in the All Other line category to reflect the discontinuation of contracting for these services.

Veterans Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	25,765	34,861

Provides for the appropriation of funds to establish one Clerk Typist III position, which is necessary to provide clerical support to the bureau field offices.

Education In Unorganized Territory

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(74,977)	(78,844)
All Other	(53,913)	(56,868)
TOTAL	(128,890)	(135,712)

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL

	15,454	22,499
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Provides for the deappropriation of funds through the elimination of 2 Teacher positions and a reduction in the All Other line category for contractual services.

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development

All Other	620,000	620,000
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Provides for the appropriation of funds from a transfer of funding for the Manufacturing Extension Partnership from the Maine Science and Technology Foundation.

Education In Unorganized Territory

Positions - FTE Count	(2,363)	(2,363)
Personal Services	50,560	50,704

Provides for the appropriation of funds for 50 intermittent Substitute Teacher positions (2,314 hours), 10 intermittent Teacher Aide positions (300 hours), 30 intermittent Janitor/Bus Driver positions (1,800 hours) and 20 intermittent Cook positions (500 hours) to provide for essential substitute coverage on pupil days. This request will be offset through the elimination of 7 intermittent positions.

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL

	620,000	620,000
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EDUCATION, DEPARTMENT OF

Education In Unorganized Territory

Positions - FTE Count	(4,240)	(4,240)
Personal Services	128,890	135,712

Provides for the appropriation of funds for 6 seasonal part-time Teacher Aide positions

Education In Unorganized Territory

Positions - FTE Count	(-0.785)	(-0.785)
Personal Services	(56,057)	(59,769)

Provides for the deappropriation of funds through the elimination of 4 intermittent Teacher positions, one intermittent

Teacher Aide position, one intermittent Janitor/Bus Driver position and one intermittent Cook I position.

each fiscal year may not lapse but must be carried forward to be used for the same purpose.

Governor Baxter School for the Deaf

Positions - Legislative Count	(3.000)	(3.000)
Personal Services	112,565	152,282

Provides for the appropriation of funds for 3 Interpreter positions to relieve communication barriers at the Governor Baxter School for the Deaf.

Management Information Systems

All Other	218,604
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Provides for the appropriation of funds for maintenance and network management of the ATM Distance Learning Network. The Commissioner of Education shall present a financial plan to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Education and Cultural Affairs by January 14, 2000 that continues state support for the network without utilizing General Fund resources.

School Renovation

All Other	23,420,315
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Provides for a one-time appropriation of funds for school renovations for the purpose of capitalizing a revolving school renovations fund. These funds are to be paid to the Maine Municipal Bond Bank in accordance with the following schedule: \$10,000,000 on September 1, 1999 and \$13,420,315 on January 1, 2000. Any balance remaining at the end of

Governor Baxter School for the Deaf

Positions - Legislative Count	(1.500)	(1.500)
Positions - FTE count	(4.947)	(4.947)
Personal Services	332,716	330,488
All Other	(332,716)	(330,488)
TOTAL	0	0

Provides for the appropriation of funds through a transfer from the All Other line category to establish 3 part-time Teacher positions, one seasonal Occupational Therapist position (1,720 hours), one seasonal Nurse II position (1,720 hours), 2 seasonal part-time Information System Support Specialist II positions (1,720 hours), one seasonal part-time Teacher position (419 hours), 2 seasonal part-time Education Specialist II positions (1,720 hours), 3 seasonal part-time Teaching Assistant for the Deaf positions (1,290 hours), 10 intermittent Substitute Teacher positions (840 hours), and 4 intermittent Residential Advisor positions (860 hours) to reflect the elimination of contracts with individuals currently providing these services, and to provide for essential substitute coverage on pupil days.

Preschool Handicapped

All Other	1,874,393	3,065,757
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Provides funds to meet projected needs in the program. If additional federal funds are received by this program in fiscal year 1999-00 or fiscal year 2000-01, to the extent possible, the additional federal funds

must be used to supplant, rather than supplement, General Fund appropriations. The Commissioner of Education shall submit annual reports detailing program revenue and expenditures by funding source, and any General Fund balances remaining as a result of increased federal funding, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 14, 2000 and January 12, 2001.

**DEPARTMENT OF EDUCATION
TOTAL**

25,620,380 3,208,974

**ENVIRONMENTAL PROTECTION,
DEPARTMENT OF**

Administration - Environmental Protection

Positions - Legislative Count (2,000) (2,000)
Personal Services 135,499 145,499

Provides for the appropriation of funds for the transfer of one Commissioner, Department of Environmental Protection position and one Senior Administrative Secretary position from the Administration - Environmental Protection program, Other Special Revenue.

**DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL**

135,499 145,499

**GOVERNMENTAL ETHICS AND ELECTION PRACTICES,
COMMISSION ON**

Commission on Governmental Ethics and Election Practices

Positions - Legislative Count (-1,000) (-1,000)
Personal Services (39,910) (40,371)

Provides for the deappropriation of funds through the transfer of one Lobbyist Registrar position to the Other Special Revenue account.

Commission on Governmental Ethics and Election Practices

Positions - Legislative Count (1,000) (1,000)
Personal Services 32,217 33,827

Provides for the appropriation of funds for the transfer of one Clerk Typist III position from the Other Special Revenue account.

**COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES
TOTAL**

(7,693) (6,544)

EXECUTIVE DEPARTMENT

Blaine House

Positions - Legislative Count (1,000) (1,000)
Personal Services 29,619 31,616

Provides for the appropriation of funds for one part-time Governor's Special Assistant position to assist in Blaine House operations. This request is offset through a reduction in contractual services in Building and Grounds Operations in the Department of Administrative and Financial Services.

**EXECUTIVE DEPARTMENT
TOTAL**

29,619 31,616

HISTORIC PRESERVATION COMMISSION, MAINE

State Restoration Grants Program

All Other (2,400) (2,400)

Provides for the deappropriation of funds through a transfer to the Historic Preservation Commission program for the purpose of combining the 2 programs.

Historic Preservation Commission

All Other	2,400	2,400
Provides for the appropriation of funds through a transfer from the State Restoration Grants program for the purpose of combining the 2 programs.		

Provides for the appropriation of funds to increase the hours of a Fraud Investigator position from 21 to 40 hours to accomplish more timely investigations.

MAINE HISTORIC PRESERVATION COMMISSION TOTAL

	0	0
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Bureau of Family Independence - Central

All Other	613,716	613,716
Provides for the appropriation of funds for legal immigrants for food stamps.		

HUMAN SERVICES, DEPARTMENT OF

Bureau of Family Independence - Central

Office of Management and Budget

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	36,184	37,708
Provides for the appropriation of funds for the transfer of a Fraud Investigator position from the Bureau of Family Independence.		

All Other	148,390	148,390
Provides for the appropriation of funds to cover the cost of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.		

Office of Management and Budget

All Other	29,820	29,820
Provides for the appropriation of funds to cover the cost of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.		

Congregate Housing

All Other	900,000
Provides funds for up to 3 new assisted living facilities in Maine to serve residents of low to moderate income. The Department of Human Services shall put these projects out to bid through a competitive request for proposal process.	

Bureau of Family Independence - Central

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(36,184)	(37,708)
Provides for the deappropriation of funds to transfer a Fraud Investigator position to the Office of Management and Budget.		

Bureau of Elder and Adult Services

All Other	(275,000)	(275,000)
Provides for the deappropriation of funds to transfer home-based care funds to the Long-term Care - Human Services program.		

Bureau of Family Independence - Central

Personal Services	17,187	17,910
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Bureau of Elder and Adult Services

All Other	776,901	776,901
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Provides for the appropriation of funds through the transfer of homemaker and elderly PSSP funds from the Bureau of Child and Family Services.

Bureau of Elder and Adult Services

Positions - Legislative Count	(1.000)	(1.000)
Personal Services	35,313	47,084

Provides for the appropriation of funds to establish one Comprehensive Health Planner I position to coordinate the adult protective services centralized intake unit. One Human Services Caseworker position will be eliminated to fund this position.

Bureau of Elder and Adult Services

Positions - Legislative Count	(-1.000)	(-1.000)
Personal Services	(35,313)	(47,084)

Provides for the deappropriation of funds from the elimination of one Human Services Caseworker position to fund one Comprehensive Health Planner position in this program.

Bureau of Family Independence - Regional

All Other	263,880	263,880
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Provides for the appropriation of funds to cover the cost of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.

Bureau of Health

All Other	218,215	
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Provides for the appropriation of funds to pay back the milk handling tax to the United

States Department of Agriculture.

Long-term Care - Human Services

All Other	275,000	275,000
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Provides for the appropriation of funds through a transfer of home-based care funds in the Bureau of Elder and Adult Services program.

Long-term Care - Human Services

All Other	3,700,000	3,700,000
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Provides for the appropriation of funds for home care services for elderly and disabled adults who are estimated to be on waiting lists as of July 1, 1999.

Nursing Facilities

All Other	1,250,000	
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Provides funds for the state share of a one-time supplemental payment to nursing facilities for the purpose of addressing the problem of recruitment and retention of nonadministrative staff.

Nursing Facilities

All Other		2,600,000
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Provides funds for the state share of the cost of amending the Nursing Facility Principles of Reimbursement to address the increased operating costs of nursing facilities.

Medical Care - Payments to Providers

All Other	1,600,000	1,600,000
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Provides for the appropriation of funds on a one-time basis to assist hospitals most severely affected by recent Medicaid payment reductions and by adverse economic conditions in their respective

communities. Subject to review of the Joint Standing Committee on Appropriations and Financial Affairs, the Department of Human Services shall identify eligible providers and the apportionment of these funds. The Department of Human Services shall examine strategies that would support the long-term viability of the affected hospitals. The department shall hold public hearings in the course of the study as a means of gathering public input. The department shall report back its findings and any recommendations to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 14, 2000.

and 3rd year of a new initiative to reduce uninvestigated referrals. This request will result in \$900,000 of General Fund revenue from Title IV-E reimbursements in fiscal year 1999-00 and fiscal year 2000-01. (See Part L, section 3.)

Service Center - Auditing, Contracting and Licensing

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(98,708)	(100,793)
All Other	(3,000)	(3,000)
TOTAL	(101,708)	(103,793)

Provides for the deappropriation of funds through the transfer of one Alcoholism Regional Planning Coordinator position and one Contract/Grant Specialist position to the Office of Substance Abuse in the Department of Mental Health, Mental Retardation and Substance Abuse Services.

Office of Management and Budget Operations - Regional

All Other	156,910	156,910
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Provides for the appropriation of funds to cover the costs of the food stamp adjustment due to the shift of common costs from TANF to food stamps based on changes in charges to programs from primary to benefiting.

Bureau of Child and Family Services - Regional

Positions - Legislative Count	(17,000)	(17,000)
Personal Services	302,676	419,710
All Other	(302,676)	(419,710)
TOTAL	0	0

Provides for the appropriation of funds to establish 17 Human Services Aide II positions resulting from the transfer of All Other funds for contracted case management services deemed to have an employer/employee relationship.

Purchased Social Services

All Other	(776,901)	(776,901)
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Provides for the deappropriation of funds to transfer homemaker and elderly PSSP funds to the Bureau of Elder and Adult Services.

Bureau of Medical Services

Positions - Legislative Count	(3,000)	(3,000)
Personal Services	74,984	102,478
All Other	56,000	55,000
Capital Expenditures	4,500	
TOTAL	135,484	157,478

Purchased Social Services

All Other	3,310,000	3,310,000
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Provides for the appropriation of funds for the state share of the 2nd

Provides for the appropriation of funds to establish one Social Services Program Specialist I position, one Clerk Typist II position and one Management Analyst II position and contract for medical and quality improvement contract consultant services to further develop Medicaid managed care.

Bureau of Medical Services

All Other (26,250) (70,000)

Provides for the deappropriation of funds through a transfer to the Department of Mental Health, Mental Retardation and Substance Abuse Services for the purpose of providing mental health screening and assessment to children entering Department of Human Services custody in accordance with the Memorandum of Agreement between the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services.

Medical Care - Payments to Providers

All Other (160,479) (157,478)

Provides for the deappropriation of funds through a transfer to the Bureau of Medical Services to establish one Social Services Program Specialist I position, one Clerk Typist II position and one Management Analyst II position and contract for medical and quality improvement contract consultant services to further develop Medicaid managed care.

DEPARTMENT OF HUMAN SERVICES

TOTAL 11,155,165 13,166,833

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Fisheries and Hatcheries Operations

Positions - Legislative Count (1,000) (1,000)
 Personal Services 13,548 14,225
 All Other (13,548) (14,225)

TOTAL 0 0

Provides for the appropriation of funds for one Clerk Typist III position to provide clerical support currently supported by contract.

Licensing Services - Inland Fisheries and Wildlife

Positions - Legislative Count (2,000) (2,000)
 Personal Services 50,240 52,614
 All Other (50,240) (52,614)

TOTAL 0 0

Provides for the appropriation of funds for 2 Clerk-Typist II positions to process and edit hunting and fishing licenses, which are currently supported by contract.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL 0 0

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

Personal Services 36,346 54,002

Provides for the appropriation of funds for the State's share of 4 Judge positions for the District Courts. These positions are established in the Federal Expenditures Fund account.

Courts - Supreme, Superior, District and Administrative

Positions - Legislative Count (20,000) (20,000)

Personal Services	301,582	458,640
All Other	6,624	8,832
TOTAL	308,206	467,472

Provides for the appropriation of funds to establish 20 Assistant Clerk positions to support the 50 court houses throughout the State. Twelve positions will be funded 100% by the General Fund and 8 positions will be funded 1/3 by the General Fund and 2/3 by the Federal Expenditures Fund. The 8 positions will be devoted to the Family Division Program.

JUDICIAL DEPARTMENT TOTAL	344,552	521,474
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LABOR, DEPARTMENT OF

Labor Relations Board

Personal Services	1,000	
All Other	950	
TOTAL	1,950	

Provides for the appropriation of funds to conduct rulemaking hearings.

Labor Relations Board

All Other	5,255	675
Capital Expenditures	3,995	
TOTAL	9,250	675

Provides for the appropriation of funds for a computerized stenographic machine and software.

Employment Services Activity

Personal Services	86,930	88,156
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Provides for the appropriation of funds associated with allocated cost for apprenticeship activities. Twenty percent of an Administrative Secretary position and an Employment and Training Specialist IV position, 33 1/3% of a Division

Director position and a full-time equivalent Employment and Training Specialist II position are transferred from the Federal Expenditures Fund of this same program.

Rehabilitation Services

All Other	120,000	120,000
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Provides for the appropriation of funds to establish community centers for the deaf.

Rehabilitation Services

All Other	40,000	40,000
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Provides for the appropriation of funds to expand legal interpreting services to the deaf community.

DEPARTMENT OF LABOR TOTAL

258,130	248,831
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LIBRARY, MAINE STATE

Library Development Services

Positions - Legislative Count	(17,000)	(17,000)
Personal Services	647,535	663,240
All Other	215,540	254,445
Capital Expenditures	15,000	16,000

TOTAL	878,075	933,685
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Provides for the appropriation of funds through a transfer from the Library Reader and Information Services program for the purpose of combining programs.

Library Reader and Information Services

Positions - Legislative Count	(-17,000)	(-17,000)
Personal Services	(647,535)	(663,240)
All Other	(215,540)	(254,445)
Capital Expenditures	(15,000)	(16,000)

TOTAL	(878,075)	(933,685)
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Provides funds for the deappropriation of funds through a transfer to the Library Development Services program for the purpose of combining programs.

Library Reader and Information Services

All Other	75,000	75,000
Provides for the appropriation of funds for the additional operating costs associated with MaineCat and Info Net updates.		

MAINE STATE LIBRARY TOTAL

	75,000	75,000
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MARINE RESOURCES, DEPARTMENT OF

Division of Community Resource Development

Capital Expenditures	5,000	
Provides for the appropriation of funds to purchase a new global positioning system to assist in mapping for the watershed program.		

Bureau Of Resource Management

Capital Expenditures	35,000	
Provides for the appropriation of funds for laboratory equipment for pathology studies.		

Bureau of Resource Management

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	100,267	102,228
Provides for the appropriation of funds for the transfer of 2 Marine Resource Scientist I positions from the Bureau of Resource Management program, Federal Expenditures Fund, to improve research, monitoring and management of marine fisheries.		

Bureau of Resource Management

Personal Services	4,112	4,112
All Other	(4,112)	(4,112)
TOTAL	-0-	-0-

Provides for the appropriation of funds to reorganize one Maintenance Mechanic position to a Boiler Engineer position to more appropriately address maintenance requirements in the Boothbay Harbor facility.

Bureau of Marine Patrol

Positions - Legislative Count	(4,000)	(4,000)
Personal Services	111,762	153,852
All Other	47,060	30,800

TOTAL	158,822	184,652
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Provides funds for 4 Marine Patrol Officer positions and related operating costs.

DEPARTMENT OF MARINE RESOURCES TOTAL

	299,089	286,880
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MAINE MARITIME ACADEMY

Maritime Academy - Operations

All Other	209,819	218,891
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Provides for the appropriation of funds to fund the institution's base budget in a manner consistent with other public higher education institutions.

MAINE MARITIME ACADEMY TOTAL

	209,819	218,891
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Administration - Mental Health, Mental Retardation and Substance Abuse Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	69,003	69,270

Provides for the appropriation of funds through the transfer of one Social Service Program Manager position from the Office of Substance Abuse in

<p>order to reflect headcount in the appropriate program.</p> <p>Disproportionate Share - Augusta Mental Health Institute</p> <p>All Other 12,147 12,161</p> <p>Provides for the appropriation of funds through a transfer from the Mental Retardation Services - Community program for psychiatric services in the outpatient clinic.</p> <p>Medicaid Services - Mental Retardation</p> <p>All Other 683,182 683,991</p> <p>Provides for the appropriation of funds through the transfer of funds from the Mental Retardation Services - Community program in order to reflect expenditures in the correct account.</p> <p>Mental Health Services - Children</p> <p>All Other (106,445) (109,531)</p> <p>Provides for the deappropriation of funds through a transfer to the Regional Administration program in order to reflect expenditures in the appropriate program.</p> <p>Mental Health Services - Community</p> <p>All Other (194,136) (199,765)</p> <p>Provides for the deappropriation of funds through a transfer to the Regional Administration program in order to reflect expenditures in the appropriate program.</p> <p>Mental Health Services - Community</p> <p>All Other 3,427,669 3,427,669</p> <p>Provides for the appropriation of funds to continue to honor</p>	<p>commitments made in response to the Augusta Mental Health Consent Decree by replacing money previously funded by tax and match.</p> <p>Mental Retardation Services - Community</p> <p>All Other (427,839) (438,920)</p> <p>Provides for the deappropriation of funds through a transfer to the Regional Administration program in order to reflect expenditures in the appropriate program.</p> <p>Mental Retardation Services - Community</p> <p>All Other (12,147) (12,161)</p> <p>Provides for the deappropriation of funds through a transfer to the Disproportionate Share - Augusta Mental Health Institute program for psychiatric services at the outpatient clinic.</p> <p>Mental Retardation Services - Community</p> <p>All Other (683,182) (683,991)</p> <p>Provides for the deappropriation of funds through the transfer to the Medicaid Services - Mental Retardation program in order to reflect expenditures in the correct account.</p> <p>Regional Administration</p> <p>All Other 728,420 748,216</p> <p>Provides for the appropriation of funds through a transfer from Mental Retardation Services - Community, Mental Health Services - Community and Mental Health Services - Children programs in order to reflect expenditures in the appropriate program.</p> <p>Office of Substance Abuse</p> <p>Positions - Legislative Count (2,000) (2,000)</p>
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Personal Services	98,708	100,793
All Other	3,000	3,000
TOTAL	<u>101,708</u>	<u>103,793</u>

Provides for the appropriation of funds through the transfer of one Alcoholism Regional Planning Coordinator position and one Contract and Grant Specialist position from the Department of Human Services, Auditing, Contracting and Licensing Service Center.

Office of Substance Abuse

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(69,003)	(69,270)

Provides for the deappropriation of funds through a transfer of one Social Service Program Manager position to the Administration - Mental Health, Mental Retardation and Substance Abuse Services program in order to reflect headcount in the appropriate program.

Administration - Mental Health and Mental Retardation

All Other	(36,388)	(37,727)
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Provides for the deappropriation of funds due to a reduction in contracted services.

Administration - Mental Health and Mental Retardation

Positions - Legislative Count	(0,500)	(0,500)
Personal Services	45,176	47,355

Provides for the appropriation of funds through the transfer of one part-time Physician III position from the Mental Health Services - Community program in order to reflect headcount in the appropriate program.

Administration - Mental Health and Mental Retardation

Personal Services	281,001	142,589
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Provides for the appropriation of funds to establish the following limited-period positions for the purpose of building a comprehensive and integrated database system: One Planning and Research Association I position, one Clerk Typist II position, one Mental Health - Mental Retardation Casework Supervisor position, 3 Intensive Case Manager positions and one Mental Health Program Coordinator position. These positions will end on December 31, 2000.

Departmentwide

Personal Services	(281,001)	(142,589)
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Provides for the deappropriation of funds through a transfer to the Administration - Mental Health and Mental Retardation program from various programs in order to fund limited-period positions needed to build a comprehensive and integrated database system.

Disproportionate Share - AMHI

Personal Services	93,235	95,213
All Other	41,964	43,232

TOTAL	<u>135,199</u>	<u>138,445</u>
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Provides for the appropriation of funds for the state match of one Physician III position, one Nurse IV position and 2 part time Medical Care Coordinator positions for the dental clinic in Regions I and II.

Disproportionate Share - BMHI

All Other	12,653	12,920
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Provides for the appropriation of funds for the continuation of the dental clinic in Region III.

Freeport Towne Square

Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(84,786)	(85,182)

Provides for the deappropriation of funds due to the elimination of one Mental Retardation Trainer position and one Manual Training Coordinator position.

Psychiatric Social Worker II position and 4 Mental Health Program Coordinator positions to assess mental health needs of juveniles; to assist in development of mental health services; and to provide specialty evaluations and individual counseling as identified through the assessment process.

Mental Health Services - Child Medicaid

All Other	2,000,000	2,000,000
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Provides for the appropriation of state matching funds to develop system capacity to support children and their families in their communities.

Mental Health Services - Children

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	92,702	93,046
All Other	1,500,000	1,500,000
TOTAL	1,592,702	1,593,046

Provides for the appropriation of funds to develop system capacity to support children and their families in their communities; and establishes one Mental Health - Mental Retardation Caseworker position, increases 2 part-time Mental Health - Mental Retardation Caseworker positions to full-time and reclassifies one Mental Health - Mental Retardation Caseworker position to one Mental Health Program Coordinator position.

Mental Health Services - Children

All Other	26,250	70,000
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Provides for the appropriation of funds through a transfer from the Department of Human Services for the purpose of providing mental health screening and assessment to children entering the Department of Human Services custody in accordance with the Memorandum of Agreement between the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services.

Mental Retardation Services - Community

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	65,927	91,932
All Other	(3,116)	(6,750)
TOTAL	62,811	85,182

Provides for the appropriation of funds to establish 2 Staff Development Specialist IV positions to provide mandated training, under the Community Consent Decree, to staff, consumers, families and providers.

Mental Health Services - Children

Positions - Legislative Count	(6,000)	(6,000)
Personal Services	198,038	275,216
All Other	250,000	250,000
TOTAL	448,038	525,216

Provides for the appropriation of funds to establish one Mental Health - Mental Retardation Casework Supervisor position, one

Mental Health Services - Community

Positions - Legislative Count	(-0.500)	(-0.500)
Personal Services	(45,176)	(47,355)

Provides for the deappropriation of funds through a transfer of one part-time Physician III position to the Administration - Mental Health and Mental Retardation Program in order to reflect headcount in the appropriate program.

Mental Health Services - Community

All Other	171,381	477,138
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Provides for the appropriation of funds to meet the projected unmet services and support needs of Augusta Mental Health Institute Consent Decree class members.

Mental Retardation Services - Community

Positions - Legislative Count	(7,500)	(7,500)
Personal Services	217,039	300,139
All Other	1,588	
TOTAL	218,627	300,139

Provides for the appropriation of funds to establish 6 1/2 Mental Health - Mental Retardation Caseworker positions and one Mental Health - Mental Retardation Casework Supervisor position that are needed for increased residential and day habilitation services for individuals with mental retardation who are not class members. This request is part of the 2-year phase-in of these services. The request will generate \$218,627 in General Fund undedicated revenue in fiscal year 1999-00 and \$300,139 in fiscal year 2000-01.

Disproportionate Share - BMHI

Personal Services	(191,453)	(192,377)
All Other	(50,923)	(57,292)

TOTAL	(242,376)	(249,669)
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Provides for the deappropriation of state matching funds in order to transfer savings from one unit closure to the regional office for mental health services in northern and eastern Maine.

Mental Health Services - Community

Positions - Legislative Count	(6,000)	(6,000)
Personal Services	170,270	236,135

Provides for the appropriation of funds to establish one Mental Health - Mental Retardation Casework Supervisor position, 4 Intensive Case Manager positions and One Mental Health - Mental Retardation Caseworker position to provide mental health services in northern and eastern Maine. This request will generate \$54,857 in General Fund revenue in fiscal year 1999-00 and \$76,520 in fiscal year 2000-01.

Regional Administration

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	92,987	94,548
All Other	24,000	24,000

TOTAL	116,987	118,548
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Provides for the appropriation of funds to transfer 2 Management Analyst II positions from Bangor Mental Health Institute to the regional offices in northern and eastern Maine. This request will generate \$28,026 in General Fund revenue in fiscal year 1999-00 and \$28,494 in fiscal year 2000-01.

**DEPARTMENT OF MENTAL
HEALTH, MENTAL
RETARDATION AND
SUBSTANCE ABUSE
SERVICES**

TOTAL 8,120,745 8,715,653

MUSEUM, MAINE STATE

Administration - Museum

Positions - Legislative Count (1,500) (1,500)
 Positions - FTE Count (0.692) (0.692)
 Personal Services 52,253 72,981

Provides for the appropriation of funds for the establishment of 3 part-time Museum Technician I positions and 3 seasonal Museum Technician I positions to educate and safeguard visitors and to recruit and train volunteers for the purpose of enabling the museum to remain open 7 days per week.

Administration - Museum

Positions - Legislative Count (10,500) (10,500)
 Personal Services 495,032 507,039
 All Other 128,650 128,700

TOTAL 623,682 635,739

Provides for the appropriation of funds through a transfer from the Research and Collection - Museum program and the Exhibit Design and Preparation program for the purpose of combining programs.

Exhibit Design and Preparation - Museum

Positions - Legislative Count (-2,500) (-2,500)
 Personal Services (106,116) (109,227)
 All Other (88,250) (88,300)

TOTAL (194,366) (197,527)

Provides for the deappropriation of funds through a transfer to the Administration - Museum program for the purpose of combining programs.

Research and Collection - Museum

Positions - Legislative Count (-8,000) (-8,000)
 Personal Services (388,916) (397,812)
 All Other (40,400) (40,400)
TOTAL (429,316) (438,212)

Provides for the deappropriation of funds through a transfer to the Administration - Museum program for the purpose of combining programs.

Exhibit Design and Preparation - Museum

All Other 9,505

Provides for the appropriation of funds for replacement of the filter system for the trout stream within the natural history exhibit.

**MAINE STATE MUSEUM
TOTAL**

61,758 72,981

**PUBLIC SAFETY,
DEPARTMENT OF**

Administration - Public Safety

Positions - Legislative Count (-8,000) (-8,000)
 Personal Services (331,828) (340,877)
 All Other (61,211) (61,376)

TOTAL (393,039) (402,253)

Provides for the deappropriation of funds to permit the transfer of 7 positions from the liquor licensing function to the Bureau of Liquor Enforcement and eliminate one Public Safety Licensing Supervisor position. This request is necessary to align the department structure with authorizing statutes. Position detail is on file with the Bureau of the Budget.

Criminal Justice Academy

All Other 229,567

Provides for the appropriation of funds to reinstate the General Fund subsidy for operational and training costs associated with the Basic

Police School, which was reduced by Public Law 1997, chapter 643, Part UU.

Liquor Enforcement

Positions - Legislative Count	(7,000)	(7,000)
Personal Services	283,632	289,890
All Other	58,836	59,001
TOTAL	342,468	348,891

Provides for the appropriation of funds to permit the transfer of 7 positions and the liquor licensing function from Administration - Public Safety to the Bureau of Liquor Enforcement. This request is necessary to align the departmental functions with the authorizing statutes. Position detail is on file with the Bureau of the Budget.

State Police

Capital Expenditures	5,498
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Provides for the appropriation of funds for the purchase of 3 all-terrain vehicles necessary for mountain top radio repair maintenance and repair functions.

State Police

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	38,166	38,734
All Other	57,834	57,266
TOTAL	96,000	96,000

Provides for the appropriation of funds for the General Fund share of the transfer of one Forensic Chemist I position and one Clerk Typist III position and related costs from the Federal Expenditures Fund account to continue the DNA functions of the Maine State Police crime lab due to a reduction in federal grant funds.

Maine Drug Enforcement Agency

All Other	533,282
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Provides for the appropriation of funds to continue the normal operation of the Maine Drug Enforcement Agency due to the reduction of revenue from forfeitures and to provide an additional state match for federal Department of Justice grants.

State Police

Positions - Legislative Count	(3,000)	(3,000)
Personal Services	57,469	59,420

Provides for the appropriation of funds for the General Fund share of one Forensic Chemist II position, one DNA Forensic Analyst position and one Forensic Specialist position to support the DNA functions of the Maine State Police Crime Lab.

State Police

Positions - Legislative Count	(6,000)	(6,000)
Personal Services	75,638	103,437

Provides for the appropriation of funds for the General Fund share of one Identification Specialist III position, one Identification Specialist II position, 2 Identification Specialist I positions, one Programmer Analyst position and one Management Analyst II position. These positions are required to service an increased demand for non-criminal justice background checks, to provide support necessary to maintain the Criminal History Records System, and to provide audit, training and validation services required by law.

State Police

Capital Expenditures	(61,000)	61,000
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Provides for the deappropriation of funds for the General Fund

share of 7 vehicles in fiscal year 1999-00 in order to properly align the budget request for the purchase of these vehicles in fiscal year 2000-01.

**DEPARTMENT OF PUBLIC SAFETY
TOTAL**

885,883 266,495

MAINE SCIENCE AND TECHNOLOGY FOUNDATION

Maine Science and Technology Foundation

All Other (620,000) (620,000)

Provides for the deappropriation of funds for the transfer of funding for the Manufacturing Extension Partnership to the Department of Economic and Community Development.

**MAINE SCIENCE AND TECHNOLOGY FOUNDATION
TOTAL**

(620,000) (620,000)

SECRETARY OF STATE, DEPARTMENT OF THE

Bureau of Administrative Services and Corporations

Positions - Legislative Count (12,500) (12,500)
Personal Services 629,411 649,558
All Other 603,259 541,301

TOTAL 1,232,670 1,190,859

Provides for the appropriation of funds in order to combine several programs for the purpose of creating administrative efficiency.

Bureau of Administrative Services and Corporations

Positions - Legislative Count (1,000) (1,000)
Personal Services 22,480 31,499
All Other (22,480) (31,499)

TOTAL 0 0

Provides for the appropriation of funds for one Clerk Typist II

position for the elections division.

Elections And Commissions

Positions - Legislative Count (-8,000) (-8,000)
Personal Services (344,094) (351,896)
All Other (597,377) (535,249)

TOTAL (941,471) (887,145)

Provides for the deappropriation of funds in order to combine several programs for the purpose of creating administrative efficiency.

Office of the Secretary of State

Positions - Legislative Count (-4,500) (-4,500)
Personal Services (285,317) (297,662)
All Other (5,882) (6,052)

TOTAL (291,199) (303,714)

Provides for the deappropriation of funds in order to combine several programs for the purpose of creating administrative efficiency.

**DEPARTMENT OF THE SECRETARY OF STATE
TOTAL**

0 0

ST. CROIX INTERNATIONAL WATERWAY COMMISSION

St. Croix International Waterway Commission

All Other 15,000 15,000

Provides for the appropriation of funds to maintain part-time staff to meet the commission's legislated mandate and the matching fund commitments with New Brunswick.

**ST. CROIX INTERNATIONAL WATERWAY COMMISSION
TOTAL**

15,000 15,000

MAINE TECHNICAL COLLEGE SYSTEM - BOARD OF TRUSTEES OF THE

Maine Technical College System - Board of Trustees

All Other 249,047 829,201

Provides for the appropriation of funds to fully fund the system's base budget request in order to enhance the affordability of higher education consistent with the Community College Partnership.

BOARD OF TRUSTEES OF THE MAINE TECHNICAL COLLEGE SYSTEM

TOTAL	249,047	829,201
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TRANSPORTATION, DEPARTMENT OF

Administration - Aeronautics

All Other (5,000) (5,000)

Provides for the deappropriation of funds through a transfer of All Other grant funds for the Civil Air Patrol to the Department of Defense, Veterans and Emergency Management, Administration program.

Highway and Bridge Improvement

Personal Services 150,000 150,000

Provides for the appropriation of funds for engineering services performed by department staff for projects financed through General Fund Obligation Bond funds.

Transportation Services

All Other 100,000 100,000

Provides for the appropriation of funds for the 10% state match for additional Federal Transit Administration funding provided with TEA-21.

DEPARTMENT OF TRANSPORTATION

TOTAL	245,000	245,000
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UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Education and General Activities - University of Maine System

All Other 732,262 2,976,492

Provides for the appropriation of funds to fully fund the system's base budget request in order to enhance affordability of higher education consistent with the Community College Partnership.

BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM

TOTAL	732,262	2,976,492
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SECTION

TOTAL APPROPRIATIONS	57,502,394	57,737,663
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Sec. A-2. Allocation. The following funds are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		

Food Assistance Program

All Other 60,000 60,000

Provides for the allocation of funds to allow the expenditure of a federal food assistance grant award.

Board of Pesticides Control

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(61,672)	(62,397)
All Other	(523)	(529)
TOTAL	(62,195)	(62,926)

Provides for the deallocation of funds through the transfer of one Environmental Specialist IV position to the Pesticides Control program, Other Special Revenue.

Board of Pesticides Control

Capital Expenditures 10,000

Provides for the allocation of funds to purchase a special printer to directly print applicator and dealer

licenses from the new License 2000 System.		
Board of Pesticides Control		
Personal Services	4,560	4,826
All Other	39	41
TOTAL	<u>4,599</u>	<u>4,867</u>
Provides for the allocation of funds for the reorganization of one Planning and Research Associate I position to an Environmental Specialist III position to more appropriately address compliance activities, implement groundwater plans and promote integrated pest management and education for the general public.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	<u>12,404</u>	<u>1,941</u>
ATLANTIC SALMON AUTHORITY		
Atlantic Salmon Authority		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	55,255	55,912
Provides for the allocation of funds for the transfer of one Biologist II position from this same program, Other Special Revenue.		
ATLANTIC SALMON AUTHORITY		
TOTAL	<u>55,255</u>	<u>55,912</u>
ATTORNEY GENERAL, DEPARTMENT OF THE		
Administration - Attorney General		
Positions - Legislative Count	(-1,000)	(-1,000)
Provides for the elimination of headcount through the transfer of one Assistant Attorney General position from the Federal Expenditures Fund to the same program in the Other Special Revenue fund.		

DEPARTMENT OF THE ATTORNEY GENERAL	<u>0</u>	<u>0</u>
TOTAL		
CONSERVATION, DEPARTMENT OF		
Administration - Forestry		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	48,777	51,024
Provides for the allocation of funds through the transfer of one Chief Planner position from the Administrative Services - Conservation program, Federal Expenditures Fund to coordinate the ice storm forest recovery program and existing cooperative forestry programs.		
Administrative Services - Conservation		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(48,777)	(51,024)
Provides for the deallocation of funds through the transfer of one Chief Planner position to the Administration - Forestry program Federal Expenditures Fund, to coordinate the ice storm recovery program and other existing cooperative forestry programs.		
Administrative Services - Conservation		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(38,553)	(40,064)
Provides for the deallocation of funds through the transfer of one GIS Coordinator position to the Division of Forest Policy and Management program, Federal Expenditures Fund in accordance with the mission, terms and conditions of the grants and state and federal cooperative program agreements.		

Division of Forest Policy and Management

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	38,553	40,064
Provides for the allocation of funds from the transfer of one GIS Coordinator position from the Administrative Services - Conservation program, Federal Expenditures Fund in accordance with the mission, terms and conditions of the grants and state and federal cooperative program agreements.		

DEPARTMENT OF CONSERVATION TOTAL

0	0
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CORRECTIONS, DEPARTMENT OF

Correctional Center

Positions - Legislative Count	(-0,500)	(-0,500)
Personal Services	(28,745)	(29,738)
Provides for the deallocation of funds by reducing one Teacher position to a part-time position due to an anticipated reduction in federal funds.		

Probation and Parole

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	88,440	92,229
All Other	28,673	20,597
TOTAL	117,113	112,826

Provides for the allocation of funds to establish 2 Probation Officer positions and related All Other expenses to support a domestic violence unit in Cumberland County from the Arrest Policy Grant.

DEPARTMENT OF CORRECTIONS TOTAL

88,368	83,088
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DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Loring Rebuild Facility

Positions - Legislative Count	(-2,000)	(-2,000)
Provides for the elimination of 2 Auto Mechanic I positions. The headcount will be used to establish 2 Military Firefighter positions in the Military Training and Operations program.		

Military Training and Operations

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	90,769	93,194
Provides for the allocation of funds for the establishment of 2 Military Firefighter positions to meet federal standards.		

Military Training and Operations

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	37,983	39,931
Provides for the allocation of funds to establish one Environmental Specialist II position for the Air National Guard Bangor International Airport complex.		

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL

128,752	133,125
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EDUCATION, DEPARTMENT OF

Learning Systems

Positions - Legislative Count	(3,000)	(3,000)
Personal Services	134,267	141,228
All Other	5,113	5,378
TOTAL	139,380	146,606

Provides for the allocation of funds for one Education Specialist III position, one Education Specialist II position and one Secretary position to establish a statewide infrastructure for school health programs.

Learning Systems

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(54,708)	(56,139)
All Other	(2,083)	(2,138)
TOTAL	(56,791)	(58,277)

Provides for the deallocation of funds through the transfer of one Education Specialist II position to the IDEA/School Age program.

Provides for the deallocation of funds through the transfer of 10% of one Director of Division of Special Services position and 5% of one Education Specialist III position to the IDEA/School Age program.

Learning Systems

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(60,317)	(60,826)
All Other	(2,297)	(2,316)
TOTAL	(62,614)	(63,142)

Provides for the deallocation of funds through the transfer one Education Specialist III position to the IDEA/School Age program.

Learning Systems

Personal Services	12,042	12,230
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Provides for the allocation of funds to transfer 10% of one Director of Division of Special Services position and 5% of one Education Specialist III position from the Assistance account to the Individuals with Disabilities account.

Learning Systems

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,708	56,139
All Other	2,083	2,138
TOTAL	56,791	58,277

Provides for the allocation of funds to transfer one Education Specialist II position from the IDEA/Personnel Preparation account.

Learning Systems

Personal Services	2,348	2,355
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Provides for the allocation of funds for the reorganization of one Clerk Stenographer II position to one Clerk Typist III position.

Learning Systems

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	60,317	60,826
All Other	2,297	2,316
TOTAL	62,614	63,142

Provides for the allocation of funds to transfer one Education Specialist III position from the Assistance account to the Individuals with Disabilities account.

Learning Systems

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	34,318	36,134
All Other	1,306	1,376
TOTAL	35,624	37,510

Provides for the allocation of funds through the transfer of 40% of one Education Specialist I position from Adult Education and 40% of the same position from Perkins Vocational and Applied Technology.

Learning Systems

Personal Services	(12,042)	(12,230)
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Learning Systems

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(17,159)	(18,067)
All Other	(653)	(688)
TOTAL	(17,812)	(18,755)

Provides for the deallocation of funds through the transfer of

40% of one Education Specialist I position to the IDEA/School Age program.		
Learning Systems		
Personal Services	(17,159)	(18,067)
All Other	(653)	(688)
TOTAL	(17,812)	(18,755)
Provides for the deallocation of funds through the transfer of 40% of one Education Specialist I position to the IDEA/School Age program.		
DEPARTMENT OF EDUCATION		
TOTAL	141,728	148,961
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Land and Water Quality		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,174	54,174
All Other	118,989	122,411
TOTAL	173,163	176,585
Provides for the allocation of funds through the transfer of one Biologist I position and related costs from the Water Quality program, Federal Expenditures Fund.		
Performance Partnership Grant		
Positions - FTE Count	(0.885)	(0.885)
Personal Services	25,412	27,664
All Other	485	528
TOTAL	25,897	28,192
Provides for the allocation of funds through the transfer of 3 Conservation Aide positions and related costs from the Water Quality program, Federal Expenditures Fund.		
Water Quality		
Positions - Legislative Count	(-1,000)	(-1,000)
Positions - FTE Count	(-0.885)	(-0.885)
Personal Services	(79,586)	(81,838)
All Other	(119,474)	(122,939)

TOTAL	(199,060)	(204,777)
Provides for the deallocation of funds from the transfer of one Biologist I position and related costs to the Land and Water Quality program, Federal Expenditures Fund and 3 Conservation Aide positions and related costs to the Performance Partnership Grant program, Federal Expenditures Fund.		
DEPARTMENT OF ENVIRONMENTAL PROTECTION		
TOTAL	0	0
HUMAN SERVICES, DEPARTMENT OF		
Office of Management and Budget		
All Other	(29,820)	(29,820)
Provides for the deallocation of funds due to the loss of the federal share of food stamp common costs.		
Bureau of Child and Family Services - Central		
All Other	2,265,817	2,327,823
Provides for the allocation of funds for the cost of operation of the Maine Automated Child Welfare Information System (MACWIS).		
Bureau of Family Independence - Central		
Positions - Legislative Count	(16,000)	(16,000)
Personal Services	372,000	491,000
All Other	48,000	48,000
TOTAL	420,000	539,000
Provides for the allocation of federal matching funds to establish 16 Human Service Aide III positions to fully implement welfare reform.		
Bureau of Family Independence - Central		

All Other (148,390) (148,390)
 Provides for the deallocation of funds due to the loss of the federal share of food stamp common costs.

Bureau of Family Independence - Regional

All Other (263,880) (263,880)
 Provides for the deallocation of funds due to the loss of the federal share of food stamp common costs.

Foster Care

All Other 1,000,000 1,000,000
 Provides for the allocation of funds for the federal match on transportation and child-care costs associated with Title IV-E foster care revenue maximization.

Bureau of Health

Positions - Legislative Count (1,000) (1,000)
 Personal Services 30,139 37,425
 All Other 5,500 3,500
 TOTAL 35,639 40,925

Provides for the allocation of funds for one Planning and Research Assistant position for the Department of Education and the Department of Human Services Infrastructure Grant.

Bureau of Health

Positions - Legislative Count (5,000) (5,000)
 Personal Services 182,059 194,803
 All Other 40,000 17,500
 TOTAL 222,059 212,303

Provides for the allocation of funds for one Health Program Manager position, one Health Educator III position, 2 Medical Care Coordinator positions and one Clerk Typist II position in the Federal Project Grants account to support the Early, Periodic Screening

and Detection Training/Immunization program.

Bureau of Health

Positions - Legislative Count (-5,000) (-5,000)
 Personal Services (204,863) (215,100)
 All Other (60,000) (65,000)
 TOTAL (264,863) (280,100)

Provides for the deallocation of funds from the transfer of one Paralegal Assistant position, one Environmental Specialist II position, one Engineering Technician IV position and one Clerk Typist III position from the Federal Project Grants account to the Public Drinking Water Fund, Other Special Revenue.

Bureau of Health

Capital Expenditures 48,000 49,000
 Provides for the allocation of funds to purchase additional hardware and software to support the immunization registry (IMPACT).

Bureau of Medical Services

Positions - Legislative Count (1,000) (1,000)
 Personal Services 25,524 26,563
 All Other 6,200 2,120
 TOTAL 31,724 28,683

Provides for the allocation of funds to establish one Clerk Typist III position for support of the complaint intake unit and paralegal assistant services within the Division of Licensing and Certification. A Comprehensive Health Planner II position in the Bureau of Medical Services will be eliminated to provide the headcount for this position.

Bureau of Medical Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	38,105	39,819
All Other	9,700	10,030
TOTAL	47,805	49,849

Provides for the allocation of funds to establish one Nursing Education Consultant position for professional behavioral consultation services and behavioral crisis intervention for Maine long-term care facilities, including assisted living, within the Division of Licensing and Certification.

Bureau of Medical Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	26,874	27,956
All Other	12,250	11,182
TOTAL	39,124	39,138

Provides for the allocation of funds to establish one Auditor II position in the Division of Survey and Utilization Review to conduct on-site audits for health care providers for identifying fraud and abuse in the Maine Medicaid program.

Nursing Facilities

All Other	2,455,350	5,096,862
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Provides for the allocation of federal matching funds to match General Fund appropriations in Part A, section 1.

Medical Care - Payments to Providers

All Other	3,142,848	3,136,529
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Provides funds to match General Fund appropriations in Part A, section 1.

Office of Management and Budget Operations - Regional

All Other	(156,910)	(156,910)
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Provides for the deallocation of funds due to the loss of the federal

share of food stamp common costs.

Foster Care

Positions - Legislative Count	(10,000)	(10,000)
Personal Services	237,393	246,888
All Other	(237,393)	(246,888)
TOTAL	0	0

Provides for the allocation of funds to establish 10 Human Services Aide II positions resulting from the transfer of All Other funds for contracted case management services deemed to have an employer/employee relationship.

Bureau of Family Independence

All Other	3,710,000
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Provides for the allocation of funds for the Automated Client Eligibility System (ACES). Most of these funds were originally allocated in fiscal year 1997-98 (\$929,555) and in fiscal year 1998-99 (\$1,333,970) and will be available for reallocation. The remaining balance requested is an additional allocation of \$1,446,475.

Bureau of Health

All Other	100,000	100,000
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Provides for the allocation of funds for the development and implementation of a birth defects monitoring program.

Bureau of Medical Services

All Other	(33,750)	(90,000)
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Provides for the deallocation of funds through a transfer to the Department of Mental Health, Mental Retardation and Substance Abuse Services for the purpose of providing mental health screening and assessment

to children entering Department of Human Services custody in accordance with the Memorandum of Agreement between the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services.

Bureau of Medical Services

Positions - Legislative Count	(3,500)	(3,500)
Personal Services	134,036	137,387
All Other	56,000	55,000
Capital Expenditures	4,500	
TOTAL	<u>194,536</u>	<u>192,387</u>

Provides for the allocation of federal matching funds to establish 2 Public Health Nurse positions, one part-time Quality Assurance Program Manager position and one Management Analyst I position and contract for medical and quality improvement contract consultant services to further develop Medicaid managed care.

DEPARTMENT OF HUMAN SERVICES

TOTAL	<u>12,815,289</u>	<u>11,843,399</u>
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Enforcement Operations - Inland Fisheries and Wildlife

Personal Services	6,262	6,580
All Other	(6,262)	(6,580)
TOTAL	<u>0</u>	<u>0</u>

Provides for the allocation of funds through a line-category transfer for this program's share of one Clerk-Typist II position established in the Support Landowners program to provide clerical support to the Support Landowners, Whitewater Rafting Fund and Hunter Safety

programs currently provided by contract.

Fisheries and Hatcheries Operations

Personal Services	13,548	14,225
All Other	(13,548)	(14,225)
TOTAL	<u>0</u>	<u>0</u>

Provides for the allocation of funds through a line-category transfer for the federal share of one Clerk Typist III position established in the Fisheries and Hatcheries Operations program, General Fund to provide clerical support currently provided by contract.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE

TOTAL	<u>0</u>	<u>0</u>
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JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

Positions- Legislative Count	(4,000)	(4,000)
Personal Services	351,653	486,026
All Other	10,000	10,000
TOTAL	<u>361,653</u>	<u>496,026</u>

Provides for the allocation of funds for the Federal Expenditures Fund share of 4 Judge positions established for the District Courts and provides for the related costs of these positions.

Courts - Supreme, Superior, District and Administrative

Personal Services	112,781	164,513
All Other	3,168	3,168
TOTAL	<u>115,949</u>	<u>167,681</u>

Provides for the allocation of funds for the Federal Expenditures Fund share of 8 Assistant Clerk positions for the Family Division Program and related costs. The 8 positions will be funded 1/3 by the General Fund and 2/3 by the Federal Expenditures Fund.

JUDICIAL DEPARTMENT						
TOTAL		477,602	663,707	Provides for the allocation of funds for equipment and building improvement needs.		
LABOR, DEPARTMENT OF						
Administration - Labor				Employment Security Services		
Positions - Legislative Count		(2,000)	(2,000)	Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services		73,130	74,157	Personal Services	(73,130)	(74,157)
Provides for the allocation of funds through the transfer of one Publications Coordinator position and one Publications Designer position from the Employment Security Services program, Federal Expenditures Fund.				Provides for the deallocation of funds through the transfer of one Publications Coordinator position and one Publications Designer position to the Administration - Labor program, Federal Expenditures Fund.		
Administration - Labor				Employment Security Services		
Capital Expenditures		115,500	74,500	Capital Expenditures	601,500	645,000
Provides for the allocation of funds for equipment and building improvement needs of the department.				Provides for the allocation of funds for equipment and building improvement needs.		
Administration - Labor				Employment Security Services		
Positions - Legislative Count		(2,000)	(2,000)	Positions - Legislative Count	(-5,000)	(-5,000)
Personal Services		105,338	106,838	Personal Services	(165,130)	(173,570)
Provides for the allocation of funds for the transfer of one Computer Programmer position and one Programmer Analyst position from the Administration - Workers' Compensation Board program, Other Special Revenue.				Provides for the deallocation of funds through the elimination of 5 Claims Specialist positions.		
Administration - Bureau of Labor Standards				Regulation and Enforcement		
Capital Expenditures		9,500	17,500	Positions - Legislative Count	(-1,000)	(-1,000)
Provides for the allocation of funds for equipment and building improvement needs.				Personal Services	(33,608)	(34,299)
				Provides for the deallocation of funds through the transfer of one Data Entry Specialist position to the Safety Education and Training program, Other Special Revenue.		
Division for the Blind and Visually Impaired				Regulation and Enforcement		
Capital Expenditures		38,500	31,500	Capital Expenditures	23,050	23,050
Provides for the allocation of funds for equipment and building improvement needs.				Provides for the allocation of funds for equipment and building improvement needs.		
Employment Services Activity				Rehabilitation Services		
Capital Expenditures		607,000	213,000	Positions - Legislative Count	(2,000)	(2,000)
				Personal Services	84,623	89,513

All Other	11,790	5,790	Administrative Secretary position and an		
Capital Expenditures	7,000		Employment and Training Specialist IV position, 33 1/3% of a Division Director position and one full-time equivalent Employment and Training Specialist II position are allocated to the General Fund of this same program.		
TOTAL	103,413	95,303			
Provides for the allocation of funds for 2 Rehabilitation Counselor II positions due to increased caseloads.					
Rehabilitation Services					
Capital Expenditures	127,000	113,000			
Provides for the allocation of funds for equipment and building improvement needs.					
Rehabilitation Services					
Positions - Legislative Count	(1,000)	(1,000)			
Personal Services	55,303	58,270			
All Other	4,095	1,095			
Capital Expenditures	3,500				
TOTAL	62,898	59,365			
Provides for the allocation of funds for one Director, Division of Deafness position and related costs to coordinate and advocate for deafness services and to reestablish the registry of interpreters for the deaf.					
Rehabilitation Services					
Positions - Legislative Count	(1,000)	(1,000)			
Personal Services	31,575	33,174			
All Other	4,095	1,095			
Capital Expenditures	3,500				
TOTAL	39,170	34,269			
Provides for the allocation of funds for one Assistant to the Director, Division of Deafness position and related costs to assist in advocating for and the development of deafness services.					
Employment Services Activity					
Personal Services	(86,930)	(88,156)			
Provides for the deallocation of funds through the allocation of costs associated with apprenticeship activities. Twenty percent of an					
			DEPARTMENT OF LABOR TOTAL	1,547,201	1,117,300
			MARINE RESOURCES, DEPARTMENT OF		
			Bureau of Resource Management		
			Positions - Legislative Count	(-2,000)	(-2,000)
			Personal Services	(100,267)	(102,228)
			Provides for the deallocation of funds through the transfer of 2 Marine Resource Scientist I positions to the Bureau of Resource Management program, General Fund, to provide research, monitoring and management of marine fisheries.		
			DEPARTMENT OF MARINE RESOURCES TOTAL	(100,267)	(102,228)
			MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF		
			Mental Health Services - Community		
			All Other	307,778	
			Provides for the allocation of funds to continue a statewide study of the effectiveness of 3 approaches to providing housing and support services to persons with severe and persistent mental illness.		
			Office of Substance Abuse		
			All Other	42,822	44,908

Provides for the allocation of funds to manage data collection and analyses for a federally funded research project.

Mental Health Services - Children

All Other 33,750 90,000

Provides for the allocation of funds through a transfer from the Department of Human Services for the purpose of providing mental health screening and assessment to children entering Department of Human Services custody in accordance with the Memorandum of Agreement between the Department of Mental Health, Mental Retardation and Substance Abuse Services and the Department of Human Services.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

TOTAL 384,350 134,908

PUBLIC SAFETY, DEPARTMENT OF

Highway Safety - Department of Public Safety

Positions - Legislative Count (1,000) (1,000)
 Personal Services 45,484 46,062
 All Other 4,522 4,534
TOTAL 50,006 50,596

Provides for the allocation of funds for one Field Examiner II position necessary to provide support in reviewing grant applications, requests for proposal development and grant administration.

State Police

Personal Services 56,224
 All Other 644
TOTAL 56,868

Provides for the allocation of funds for the continuation of 7 limited-period Clerk II positions for the remainder of the federal fiscal period, necessary to complete criminal history record validations.

State Police

Positions - Legislative Count (-1,000) (-1,000)

Provides for the elimination of one Senior Programmer Analyst position.

State Police

Positions - Legislative Count (-2,000) (-2,000)
 Personal Services (95,346) (96,844)

Provides for the deallocation of funds through the transfer of one Forensic Chemist I position and one Clerk Typist III position to the General Fund and Highway Fund State Police accounts to continue the DNA functions of the Maine State Police crime lab due to a reduction in federal grant funds.

DEPARTMENT OF PUBLIC SAFETY

TOTAL 11,528 (46,248)

TRANSPORTATION, DEPARTMENT OF

Transportation Services

All Other 1,000,000 1,000,000

Provides for the allocation of funds for additional federal funds within the Federal Transit Administration program for operating grants.

DEPARTMENT OF TRANSPORTATION

TOTAL 1,000,000 1,000,000

SECTION

TOTAL ALLOCATIONS 16,562,210 15,033,865

Sec. A-3. Allocation. The following funds are allocated from Other Special Revenue funds for

the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

capital projects, through fiscal years 1999-00 and 2000-01, or until the bulk of the resources have been expended.

	1999-00	2000-01			
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF				Lewiston Office Complex - Bureau of Public Improvements	
Accident-Sickness-Health Insurance				Positions - Legislative Count	(-1,000)
Personal Services	18,493			Personal Services	(30,423)
Provides for the allocation of funds to continue one project Employee Benefits Technician position as established by Financial Order 2638 F9 through December 1, 1999.				All Other	(138,914)
				Capital Expenditures	(445,000)
				TOTAL	(614,337)
				Provides for the deallocation of funds through the elimination of one Building Custodian position and the transfer of All Other funds resulting from the elimination of the Lewiston Office Complex account to be absorbed into the Lease Operations Fund.	(624,875)
Bureau of Accounts and Control				Public Improvements - Planning/Construction - Admin	
All Other	10,000	10,000		Positions - Legislative Count	(2,000)
Provides for the allocation of funds for the Bureau of Accounts and Control Audit Recovery account to incur expenditures for contractual services, and related administrative expenses, to seek recovery of excess outlays by state government with the net proceeds of these recovered costs returned to the fund of origin.				Personal Services	94,139
				All Other	5,000
				TOTAL	99,139
				Provides for the allocation of funds for one Architect position and one Air Quality Technician position and related All Other to support school renovation and construction.	102,559
Bureau of Accounts and Control - Systems Project				Bureau of Revenue Services	
All Other	5,000	5,000		All Other	35,000
Provides for the allocation of funds for the costs of training sponsored by the Bureau of Accounts and Control.				Provides for the allocation of funds for the establishment of the Revenue Services Taxpayer Education account from the balance of the conference account currently used for this purpose.	35,000
				Bureau of Revenue Services	
Division of Financial and Personnel Services - Division of				Positions - Legislative Count	(24,000)
Personal Services	43,798	46,029		Personal Services	742,139
Provides for the allocation of funds for the continuation of a limited period Management Analyst II position as established by Financial Order 2419 F9 to provide financial management of the State Office Building renovation, and other				All Other	24,000

TOTAL	766,139	799,915
Provides for the allocation of funds for 3 Senior Tax Examiner positions, 16 Tax Examiner positions, 2 Clerk Typist III positions, 3 Clerk Typist II positions, and related All Other costs for the purpose of ending the outsourcing strategy for desk audits in sales and income tax.		
Financial and Personnel Services - Division of		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	52,957	55,113
All Other	3,500	3,570
TOTAL	56,457	58,683
Provides for the allocation of funds to reflect the transfer of one Clerk Typist II position from the Bureau of Information Services. This position will be reorganized to support the fiscal and personnel functions of the Department.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	419,689	432,311
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Office of the Commissioner		
All Other	14,000	14,000
Provides for the allocation of funds from rental income for maintenance and repairs of the Cony Road facility and for professional development utilizing interest from funds bequeathed to the department.		
Office of Agricultural, Natural and Rural Resources		
All Other	100,000	100,000
Provides for the allocation of funds for utilizing		

grants from nonfederal sources in conjunction with the nutrient management program.

Board of Pesticides Control

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	61,672	62,397
All Other	523	529
TOTAL	62,195	62,926

Provides for the allocation of funds through the transfer of one Environmental Specialist IV position from the Pesticides Control - Board program, Federal Expenditures Fund.

Board of Pesticides Control

Personal Services	4,800	4,033
All Other	41	34
TOTAL	4,841	4,067

Provides for the allocation of funds for a Clerk Typist III position that was filled at a step higher than budgeted.

Board of Pesticides Control

All Other	13,877	13,796
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Provides for the allocation of funds for participation in the centralized Licensing Service Center.

Division of Plant Industry

All Other	1,275	1,267
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Provides for the allocation of funds for participation in the centralized Licensing Service Center to provide seamless, automated licensing services to the public that are Internet accessible.

Division of Market and Production Development

All Other	150,000	150,000
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Provides for the allocation of funds to utilize interest earnings on the Agricultural Marketing Loan Fund to award

grants in accordance with the statutory authority.

Rural Rehabilitation

All Other 25,000 25,000

Provides for the allocation of funds to the Rural Rehabilitation Operating Fund to be used for the administrative expenses associated with the Rural Rehabilitation Trust Fund.

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES
TOTAL

371,188 371,056

ATLANTIC SALMON AUTHORITY

Atlantic Salmon Authority

Positions - Legislative Count (-1,000) (-1,000)
Personal Services (55,255) (55,912)

Provides for the deallocation of funds through the transfer of one Biologist II position to the Federal Expenditures Fund of this same program.

ATLANTIC SALMON AUTHORITY
TOTAL

(55,255) (55,912)

ATTORNEY GENERAL, DEPARTMENT OF THE

Administration - Attorney General

Positions - Legislative Count (1,000) (1,000)
Personal Services 50,660 52,343
All Other 7,628 4,702

TOTAL 58,288 57,045

Provides for the allocation of funds to establish one Assistant Attorney General position and related costs to represent the Department of Administrative and Financial Services specifically for legal work relating to state contracts and leases.

Administration - Attorney General

Positions - Legislative Count (1,000) (1,000)
Personal Services 50,660 52,343
All Other 7,628 4,702

TOTAL 58,288 57,045

Provides for the allocation of funds to establish one Assistant Attorney General position and related costs to represent the Department of Public Safety.

Administration - Attorney General

Positions - Legislative Count (1,000) (1,000)
Personal Services 50,660 52,343
All Other 7,628 4,702

TOTAL 58,288 57,045

Provides for the allocation of funds to establish one Assistant Attorney General position and related costs to handle employment discrimination cases.

Administration - Attorney General

Personal Services 50,660 52,343
All Other 7,628 4,702

TOTAL 58,288 57,045

Provides for the allocation of funds to establish one limited-period Assistant Attorney General position and related costs to handle workers' compensation cases. The position will have an end date of June 8, 2001.

Human Services Division

Positions - Legislative Count (1,000) (1,000)
Personal Services 29,834 30,577
All Other 5,480 2,533

TOTAL 35,314 33,110

Provides for the allocation of funds to establish one Legal Secretary position and related costs to provide support for child protective cases.

DEPARTMENT OF THE ATTORNEY GENERAL
TOTAL

268,466	261,290
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extended through December 1999.

BAXTER STATE PARK AUTHORITY

Baxter State Park Authority

Positions - FTE Count	(0.635)	(0.635)
Personal Services	19,054	19,204

Provides for the allocation of funds to increase by 240 hours each per year 4 seasonal Gate Keeper positions, to increase by 240 hours per year one seasonal Park Ranger position and to increase by 60 hours per year each 2 Campground Attendant positions.

BAXTER STATE PARK AUTHORITY
TOTAL

19,054	19,204
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CONSERVATION, DEPARTMENT OF

Forest Recreation Resource Fund

Positions - FTE Count	(0.154)	(0.154)
Personal Services	3,164	3,180
All Other	63	64

TOTAL	3,227	3,244
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Provides for the allocation of funds to extend one Assistant Park Ranger position from 320 FTE hours to 640 FTE hours to monitor and maintain a picnic and viewing site and whitewater rafting site.

Insect And Disease Management

Personal Services	8,212
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Provides for the allocation of funds to extend one half-time project Entomology Technician position to carry out a grant received from the Outdoor Heritage Fund. The position is authorized in Public Law 1997, chapter 643, Part A, section 4 and needs to be

Land Management and Planning

Personal Services	8,857	8,893
All Other	193	194

TOTAL	9,050	9,087
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Provides for the allocation of funds to increase one Clerk Typist III position from 30 to 40 hours per week to address clerical needs.

Land Management and Planning

Positions - Legislative Count	(1.000)	(1.000)
Personal Services	40,286	41,763
All Other	806	835

TOTAL	41,092	42,598
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Provides for the allocation of funds to establish one Land Acquisition Specialist position to administer property record management and land acquisition related activities.

Land Management and Planning

Positions - FTE Count	(0.308)	(0.308)
Personal Services	15,044	15,174

Provides for the allocation of funds to extend two Park Ranger positions from 18 to 26 weeks (an increase of 640 FTE hours) and for overtime costs during the heavy use park season.

Maine State Parks Development Fund

All Other	25,500	25,500
Capital Expenditures	75,000	75,000

TOTAL	100,500	100,500
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Provides for the allocation of funds related to the Maine State Parks and Recreational Facilities Development Fund.

Off-road Recreational Vehicles Program

Positions - FTE Count	(0,224)	(0,224)
Personal Services	7,500	7,760
All Other	(7,500)	(7,760)
TOTAL	<u>0</u>	<u>0</u>

Provides for the allocation of funds through a line category transfer to establish one 465-FTE-hour Clerk Typist II position to provide clerical support to this program.

DEPARTMENT OF CONSERVATION		
TOTAL	<u>177,125</u>	<u>170,603</u>

CORRECTIONS, DEPARTMENT OF

Vocational Training and Industries Program

Positions - Legislative Count		(-1,000)
Personal Services		(54,999)

Provides for the deallocation of funds through the elimination of one Vocational Trades Instructor position.

Corrections - Administration

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	52,498	55,059
All Other	6,215	1,947
TOTAL	<u>58,713</u>	<u>57,006</u>

Provides for the allocation of funds to establish one Director of Correctional Industries position to coordinate industries statewide for the department.

Youth Center - Maine

All Other	72,389	
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Provides for the allocation of funds to contract for health services.

DEPARTMENT OF CORRECTIONS		
TOTAL	<u>131,102</u>	<u>2,007</u>

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Administrative Service Center

Personal Services	75,734	83,697
All Other	690	762
TOTAL	<u>76,424</u>	<u>84,459</u>

Provides for the allocation of funds for one intermittent Management Analyst II position, one intermittent Accountant III position and 2 intermittent Account Clerk II positions to process and report U.S. Forestry Service grant funds for the Ice Storm Recovery Project. These positions will end no later than the end of fiscal year 2000-01.

Remediation And Waste Management

Positions - Legislative Count	(1,000)	(1,000)
Positions - FTE Count	(-0,308)	(-0,308)
Personal Services	17,981	18,954
All Other	(17,981)	(18,954)
TOTAL	<u>0</u>	<u>0</u>

Provides for the allocation of funds through a line category transfer to increase one Conservation Aide position from 640 FTE hours to full time to improve oil spill tracking and reimbursement.

Remediation And Waste Management

Capital Expenditures	40,000	7,000
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Provides for the allocation of funds for field equipment, building improvements and office equipment related to the Uncontrolled Sites Fund.

Remediation And Waste Management

Capital Expenditures	49,600	174,000
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Provides for the allocation of funds for field and office equipment to carry out the requirements of the Groundwater Oil Clean-up Fund.

Remediation And Waste Management

Capital Expenditures	26,000	60,300	Provides for the deallocation of funds through the transfer of one Environmental Specialist II position to the Maine Environmental Protection Fund program, Other Special Revenue to be reorganized as 3 Conservation Aide positions.		
Provides for the allocation of funds for field and office equipment to carry out hazardous waste management requirements.					
Remediation And Waste Management					
Capital Expenditures	410,000	261,000			
Provides for the allocation of funds for office equipment, building improvements and field equipment to carry out the requirements of the Surface Oil Clean-up Fund.					
Remediation And Waste Management					
Personal Services	151,771	153,261			
All Other	2,899	2,927			
TOTAL	154,670	156,188			
Provides for the allocation of funds for one Programmer Analyst position and 2 GIS Coordinator positions and related costs to provide more effective licensing and remediation actions. These positions terminate at the end of state fiscal year 2000-01.					
Administration - Environmental Protection					
Positions - Legislative Count	(-2,000)	(-2,000)			
Personal Services	(135,499)	(145,499)			
Provides for the deallocation of funds through the transfer of one Commissioner, Environmental Protection position and one Senior Administrative Secretary position to the Administration - Environmental Protection program, General Fund.					
Land and Water Quality					
Positions - Legislative Count	(-1,000)	(-1,000)			
Personal Services	(39,400)	(40,600)			
			Maine Environmental Protection Fund		
			Positions - FTE Count	(1,000)	(1,000)
			Personal Services	39,400	40,600
			All Other	800	800
			TOTAL	40,200	41,400
			Provides for the allocation of funds through the transfer of one Environmental Specialist II position from the Land and Water Quality program, Other Special Revenue to be reorganized as 3 seasonal Conservation Aide positions (2,080 FTE hours).		
			Bureau of Remediation and Waste Management		
			All Other	468,210	
			Provides for the allocation of funds relating to recoveries of spill-related clean-up costs associated with leaking underground storage tanks, to be used for the same purpose pursuant to federal requirements.		
			DEPARTMENT OF ENVIRONMENTAL PROTECTION		
			TOTAL	1,090,205	598,248
			GOVERNMENTAL ETHICS AND ELECTION PRACTICES, COMMISSION ON		
			Commission on Governmental Ethics and Election Practices		
			Positions - Legislative Count	(-1,000)	(-1,000)
			Personal Services	(32,217)	(33,827)
			Provides for the deallocation of funds		

through the transfer of one Clerk Typist III position to the General Fund account.

Commission on Governmental Ethics and Election Practices

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	39,910	40,371

Provides for the allocation of funds for the transfer of one Lobbyist Registrar position from the General Fund account.

Commission on Governmental Ethics and Election Practices

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	45,164	47,609

Provides for the allocation of funds for the establishment of one Auditor II position to implement the statutory mandate to provide an alternative campaign financing option for year 2000 elections.

Commission on Governmental Ethics and Election Practices

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	36,701	38,616
All Other	4,031	

TOTAL	40,732	38,616
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Provides for the allocation of funds for one Accountant II position to implement the statutory mandate to provide an alternative campaign financing option for year 2000 elections.

COMMISSION ON GOVERNMENTAL ETHICS AND ELECTION PRACTICES TOTAL

	93,589	92,769
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HISTORIC PRESERVATION COMMISSION, MAINE

Historic Preservation Commission

Positions - FTE Count	(7,000)	(7,000)
Personal Services	212,522	222,868
All Other	(212,522)	(222,868)

TOTAL	0	0
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Provides for the allocation of funds for 12 seasonal Museum Technician I positions (12,480 hours) and 2 seasonal Museum Technician III positions (2080 hours) established as limited period positions on financial order 002381F, to assess the archaeological impact of all federally funded Department of Transportation projects.

MAINE HISTORIC PRESERVATION COMMISSION TOTAL

	0	0
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HUMAN SERVICES, DEPARTMENT OF

Office of Management and Budget

Positions - Legislative Count	(0,500)	(0,500)
Personal Services	15,568	15,293

Provides for the allocation of funds from the transfer of one part-time Clerk Typist II position from the Bureau of Medical Services.

Bureau of Child and Family Services - Central

All Other	1,658,864	1,709,499
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Provides for the allocation of funds for the state share of costs for the MACWIS system including software maintenance and system enhancements and operational expense.

Bureau of Family Independence - Central

Positions - Legislative Count	(8,000)	(8,000)
Personal Services	186,000	253,000
All Other	24,000	24,000

TOTAL	210,000	277,000
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Provides for the allocation of funds to establish 8 Enforcement Agent positions to fully implement federal welfare reform.

Drinking Water Enforcement

Positions - Legislative Count	(5,000)	(5,000)
Personal Services	204,863	215,100
All Other	60,000	65,000
TOTAL	264,863	280,100

Provides for the allocation of funds due to the transfer of one Paralegal Assistant position, one Geologist position, one Environmental Specialist II position, one Engineering Technician IV position and one Clerk Typist III position from the Federal Project Grants account to the Public Drinking Water Fund.

Foster Care

All Other	190,000	190,000
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Provides for the allocation of federal matching funds for the 2nd and 3rd years of a new initiative to reduce uninvestigated referrals.

Bureau of Health

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(62,747)	(67,470)
All Other	(10,000)	(10,000)
TOTAL	(72,747)	(77,470)

Provides for the deallocation of funds to transfer one Health Program Manager position from the Special Revenue Health account to the Plumbing Control Program account.

Bureau of Health

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	47,612	49,768
All Other	6,000	3,000
TOTAL	53,612	52,768

Provides for the allocation of funds to establish one Toxicologist position in the Special Revenue Health account to meet demands for more risk assessments, site evaluations and setting of

maximum exposure guidelines.

Bureau Of Medical Services

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(56,834)	(58,537)

Provides for the deallocation of funds due to the elimination of a Comprehensive Health Planner II position.

Bureau Of Medical Services

Positions - Legislative Count	(-0,500)	(-0,500)
Personal Services	(15,568)	(15,293)

Provides for the deallocation of funds due to the transfer of one part-time Clerk Typist II position to the Office of Management and Budget.

Control Over Plumbing

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	62,747	67,470
All Other	10,000	10,000

TOTAL	72,747	77,470
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Provides for the allocation of funds from the transfer of one Health Program Manager position from the Special Revenue Health account.

Temporary Assistance for Needy Families

All Other	1,916,583	6,111,000
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Provides for the allocation of funds from increased child support collections due to complete implementation of federal welfare reform that mandates the establishment and enforcement of medical and child support obligations.

Bureau of Family Independence

All Other	3,000,000
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Provides for the allocation of funds for the Automated Client Eligibility System (ACES). These funds

were originally allocated in fiscal year 1997-98 (\$1,000,000) and in fiscal year 1998-99 (\$2,000,000) and will be available for reallocation.

Purchased Social Services

Personal Services	62,513
All Other	200
TOTAL	62,713

Provides for the allocation of funds to support the AmeriCorps Promise Fellows grant from the Corporation for National and Community Service.

DEPARTMENT OF HUMAN SERVICES

TOTAL	7,299,801	8,561,830
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INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Office of the Commissioner - Inland Fisheries and Wildlife

All Other	10,000	10,000
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Provides for the allocation of funds for activities to promote fisheries and wildlife resources and hunting and fishing in Maine.

Administrative Services - Inland Fisheries and Wildlife

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	14,189	14,885
All Other	(14,189)	(14,885)
TOTAL	0	0

Provides for the allocation of funds for an Accountant I position to administer grants and contracts under the Maine Outdoor Heritage Fund program and provide accounting services to the department. Costs are shared with the Maine Outdoor Heritage Fund program.

Endangered Nongame Operations

Positions - Legislative Count	(1,000)	(1,000)
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Personal Services	37,919	39,722
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Provides for the allocation of funds to establish one Biologist I position to inventory rare and endangered wildlife in each of the State's 17 ecoregions.

Endangered Nongame Operations

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	37,919	39,722

Provides for the allocation of funds to establish one Biologist I position to assist in managing databases and in the development and standardization of other wildlife databases.

Endangered Nongame Operations

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	37,919	39,722
All Other	(37,919)	(39,722)

TOTAL	0	0
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Provides for the allocation of funds through a line category transfer to establish one Biologist I position to continue reviewing and updating population surveys of native bird populations currently provided by contract.

Maine Outdoor Heritage Fund

Personal Services	14,189	14,885
All Other	(14,189)	(14,885)

TOTAL	0	0
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Provides for the allocation of funds through a line category transfer for this program's share of one Accountant I position established in the Administrative Services - Inland Fisheries and Wildlife program, to administer grants and contracts under the Outdoor Heritage Program and provide accounting services to the

department currently provided by contract.

Support Landowners Program

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	12,528	13,160
All Other	(12,528)	(13,160)
TOTAL	<u>0</u>	<u>0</u>

Provides for the allocation of funds through a line category transfer for this program's share of one Clerk Typist II position to provide clerical support to the Support Landowners, Whitewater Rafting Fund and Hunter Safety programs currently provided by contract.

Whitewater Rafting - Inland Fisheries and Wildlife

Personal Services	6,263	6,580
All Other	(6,263)	(6,580)
TOTAL	<u>0</u>	<u>0</u>

Provides for the allocation of funds through a line category transfer for this program's share of one Clerk Typist II position established in the Support Landowners program to provide clerical support to the Support Landowners, Whitewater Rafting Fund and Hunter Safety programs currently provided by contract.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

<u>85,838</u>	<u>89,444</u>
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JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

Personal Services	2,208	4,524
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Provides for the allocation of funds for position reclassifications determined through a compensation study that was negotiated through the collective bargaining process consistent with other comparable classification adjustments.

Courts - Supreme, Superior, District and Administrative

Personal Services	919	922
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Provides for the allocation of funds for position reclassifications determined through a compensation study that was negotiated through the collective bargaining process consistent with other comparable classification adjustments.

Courts - Supreme, Superior, District and Administrative

Personal Services	1,400	4,023
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Provides for the allocation of funds for position reclassifications determined through a compensation study that was negotiated through the collective bargaining process consistent with other comparable classification adjustments.

Courts - Supreme, Superior, District and Administrative

Personal Services	50,587	52,405
All Other	2,500	2,500
TOTAL	<u>53,087</u>	<u>54,905</u>

Provides for the allocation of funds to continue one limited-period Attorney position established by financial order in fiscal year 1998-99, to serve in the Court Appointed Special Advocate (CASA) program and to provide funds for related All Other expenses. This position will end on June 15, 2001.

JUDICIAL DEPARTMENT TOTAL

<u>57,614</u>	<u>64,374</u>
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LABOR, DEPARTMENT OF Administration

Capital Expenditures	19,000	17,250
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Provides for the allocation of funds for equipment and building improvement needs.

Division for the Blind and Visually Impaired

Capital Expenditures	30,400	30,400
Provides for the allocation of funds for equipment needs.		

Provides for the allocation of funds to reorganize one Marine Resource Scientist I position from half to full time to improve management of the sea urchin fishery data.

Employment Security Services

Capital Expenditures	13,000	16,500
Provides for the allocation of funds for equipment and building improvement needs.		

Bureau of Resource Management

Positions - FTE Count	(-0.500)	(-0.500)
Personal Services	(23,405)	(24,691)
All Other	(391)	(409)
TOTAL	(23,796)	(25,100)

Safety Education and Training Programs

Positions - Legislative Count	(1.000)	(1.000)
Personal Services	33,608	34,299
Provides for the allocation of funds to transfer one Data Entry Specialist position from the Regulation and Enforcement program, Federal Expenditures Fund.		

Provides for the deallocation of funds from the elimination of one 1040-FTE-hour Marine Resource Scientist I position.

Bureau of Resource Management

Personal Services	1,860	1,598
All Other	31	27
TOTAL	1,891	1,625

Safety Education and Training Programs

Capital Expenditures	51,550	48,350
Provides for the allocation of funds for equipment and building improvement needs.		

Provides for the allocation of funds to reorganize one Marine Resource Technician position to a Marine Resource Specialist I position to meet increased levels of responsibility.

DEPARTMENT OF LABOR TOTAL

147,558	146,799
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Division of Administrative Services

Positions - Legislative Count	(1.000)	(1.000)
Personal Services	49,900	51,875
All Other	2,900	
TOTAL	52,800	51,875

MARINE RESOURCES, DEPARTMENT OF

Division of Administrative Services

All Other	50,850	50,850
Provides for the allocation of funds to receive and expend privately or publicly awarded resources.		

Provides for the allocation of funds to establish one Senior Planner position to review license applications and documentation pursuant to Public Law 1997, chapter 693 that establishes eligibility requirements in a marine fishery. This position is funded with revenue from the Lobster Management - Admin account, Eel and Elver Management Fund

Bureau Of Resource Management

Positions - Legislative Count	(1.000)	(1.000)
Positions - FTE Count	(-0.500)	(-0.500)
Personal Services	23,405	24,691
All Other	391	409
TOTAL	23,796	25,100

and the Sea Urchin
Research Fund.

Marine Patrol - Bureau of

Positions - Legislative Count	(-0,500)	(-0,500)
Personal Services	(11,106)	(11,661)
All Other	(222)	(222)
TOTAL	(11,328)	(11,883)

Provides for the deallocation of funds to reduce one Clerk Typist II position from full time to part time to more appropriately align work assignments and responsibilities.

Marine Patrol - Bureau of

Positions - Legislative Count	(0,500)	(0,500)
Personal Services	11,106	11,661
All Other	222	222
TOTAL	11,328	11,883

Provides for the allocation of funds to establish 1/2-time Clerk Typist II position to more appropriately align work assignments and responsibilities.

DEPARTMENT OF MARINE RESOURCES

TOTAL	105,541	104,350
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MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE, DEPARTMENT OF

Augusta Mental Health Institute

All Other	23,855	23,840
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Provides for the allocation of funds for psychiatric services in the outpatient clinic.

Augusta Mental Health Institute

Positions - Legislative Count	(3,000)	(3,000)
Personal Services	183,237	186,902
All Other	82,473	84,865
TOTAL	265,710	271,767

Provides for the allocation of funds to continue one Physician III position, one Nurse IV position and 2 part-time Medical Care

Coordinator positions for the dental clinic in Regions I and II.

Bangor Mental Health Institute

All Other	24,866	25,364
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Provides for the allocation of funds for the continuation of the dental clinic in Region III.

Disproportionate Share - Bangor Mental Health Institute

Positions - Legislative Count	(-1,000)	(-1,000)
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Provides for the elimination of one Habilitation Aide position.

Bangor Mental Health Institute

Positions - Legislative Count	(-13,500)	(-13,500)
Personal Services	(376,827)	(377,797)
All Other	(100,227)	(112,511)

TOTAL	(477,054)	(490,308)
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Provides for the deallocation of funds in order to transfer savings to the regional system by transferring 2 Management Analyst II positions to Regional Administration and eliminating one Director of Administrative Services position, one Food Services Worker position, one Librarian I position, one Teacher Aide Institution position, one Assistant Team Leader position, 3 Mental Health Worker I positions, one Institutional Custodial Worker position, one Occupational Therapy Assistant position, one part-time Custodial Worker II position and one Painter position.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE TOTAL

TOTAL	(162,623)	(169,337)
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PROFESSIONAL AND FINANCIAL REGULATION, DEPARTMENT OF

Bureau of Banking

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	82,508	86,742
All Other	10,580	10,607
TOTAL	93,088	97,349

Provides for the allocation of funds for salary, benefits and support costs of 2 Senior Securities Specialist positions.

Board of Registration for Professional Engineers

Positions - FTE Count	(0,219)	(0,219)
Personal Services	3,876	4,007

Provides for the allocation of funds for the increase in the number of part-time hours by 456 hours for a Clerk Typist I position.

DEPARTMENT OF PROFESSIONAL AND FINANCIAL REGULATION TOTAL

	96,964	101,356
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PUBLIC SAFETY, DEPARTMENT OF

Administration

Positions - Legislative Count	(-29,000)	(-29,000)
Personal Services	(1,245,007)	(1,280,243)
All Other	(411,187)	(437,488)
TOTAL	(1,656,194)	(1,717,731)

Provides for the deallocation of funds to permit the transfer of the licensing and inspection functions to the Licensing and Enforcement - Beano and Games and to the State Fire Marshal's Office program in order to align departmental structure to authorizing statutes.

Administration

Positions - Legislative Count	(-1,000)	(-1,000)
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Provides for the elimination of one Public Safety Inspector I position.

Emergency Services Communication Bureau

Positions - Legislative Count	(2,000)	(2,000)
Personal Services	127,847	129,130
All Other	5,219	5,235
TOTAL	133,066	134,365

Provides for the allocation of funds for the continuation of 2 limited period positions, one Staff Development Coordinator and one Director, Special Projects. These positions were established by Financial Orders 2383 F9 and 2384 F9.

Office of Fire Marshal

Positions - Legislative Count	(16,000)	(16,000)
Personal Services	641,096	660,353
All Other	229,154	243,480
TOTAL	870,250	903,833

Provides for the allocation of funds to permit the transfer of licensing and inspection functions to the State Fire Marshal's Office that is necessary to align departmental structure to authorizing statutes.

Licensing And Enforcement

Positions - Legislative Count	(13,000)	(13,000)
Personal Services	603,911	619,890
All Other	234,697	246,672
TOTAL	838,608	866,562

Provides for the allocation of funds to permit the transfer in of the licensing functions to Licensing and Enforcement - Beano and Games that is necessary to align departmental structure to authorizing statutes.

Office of Fire Marshal

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	36,220	38,032
All Other	2,573	2,573
TOTAL	38,793	40,605

Provides for the allocation of funds to establish one Public Safety Inspector I position necessary to

reduce inspection backlogs.		
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	224,523	227,634

SECRETARY OF STATE, DEPARTMENT OF THE Administration - Archives		
Personal Services	5,685	
Provides for the appropriation of funds to continue one project Clerk Typist II position as established by Financial Order 2642 F9 through September, 1999.		
DEPARTMENT OF THE SECRETARY OF STATE		
TOTAL	5,685	0

WORKERS' COMPENSATION BOARD		
Administration		
Positions - Legislative Count	(-2,000)	(-2,000)
Personal Services	(93,864)	(98,750)
All Other	93,864	98,750
TOTAL	0	0

Provides for the allocation of funds through the transfer of one Computer Programmer position and one Programmer Analyst position to the Department of Labor and for the costs associated with contracting for these programming services.

Administration - Workers' Compensation Board		
Personal Services	148,432	152,529
All Other	58,910	197,217
TOTAL	207,342	349,746

Provides for the allocation of funds for 3 positions in the Worker Advocate program. These positions are currently authorized and will be funded through the use of cash reserves.

Administration - Workers' Compensation Board

Unallocated (384,570)

Provides for the deallocation of funds as a result of efficiencies and streamlining identified by the Workers' Compensation Board for the purpose of complying with assessment limitations in the Maine Revised Statutes, Title 39-A, section 154, subsection 6. The Workers' Compensation Board is authorized to transfer, by financial order, these savings between the Personal Services and All Other line categories within the Administration - Workers' Compensation Board program.

Administration - Workers' Compensation Board		
Personal Services	34,720	34,824
Provides for the allocation of funds for the range change of 3 Deputy Directors from range 82 to range 85.		

WORKERS' COMPENSATION BOARD		
TOTAL	242,062	0

SECTION TOTAL ALLOCATIONS	10,618,126	11,018,026
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Sec. A-4. Allocation. The following funds are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
CORRECTIONS, DEPARTMENT OF		
Corrections - Administration		
Positions - Legislative Count	(3,000)	(3,000)
Personal Services	124,541	131,778
All Other	1,759,459	1,752,222

Provides for the allocation of funds to continue funding of 3 positions established in fiscal year 1998-99 and related All Other funds including funding for technology

and programming, which will be used to develop programs in juvenile justice.

DEPARTMENT OF CORRECTIONS

TOTAL	1,884,000	1,884,000
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HUMAN SERVICES, DEPARTMENT OF

Central Bureau of Child and Family Services

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(50,767)	(51,275)
All Other	(1,249)	(1,262)
TOTAL	(52,016)	(52,537)

Provides for the deallocation of funds due to the transfer of one Management Analyst II position to the Social Services Block Grant Purchased Services account.

Child Care Services

Positions - Legislative Count	(-4,000)	(-4,000)
Personal Services	(163,049)	(171,863)
All Other	(5,485)	(5,746)
TOTAL	(168,534)	(177,609)

Provides for the deallocation of funds from the transfer of 2 Community Careworker positions, one Planning and Research Associate I position and one Social Services Program Specialist II position to the Auditing, Contracting and Licensing Service Center Block Grant account.

Dental Disease Prevention

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(22,830)	(24,428)

Provides for the deallocation of funds through the transfer of a Clerk Typist II position from the Oral Health Program to support Bureau of Health administrative activities.

Bureau of Health

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	22,830	24,428

Provides for the allocation of funds for the transfer of one Clerk Typist II position from the Oral Health Program to support Bureau of Health administrative activities.

Purchased Social Services

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	50,767	51,275
All Other	1,249	1,262
TOTAL	52,016	52,537

Provides for the allocation of funds from the transfer of one Management Analyst II position from the Bureau of Child and Family Services Block Grant account.

Auditing, Contracting and Licensing Service Center

Positions - Legislative Count	(4,000)	(4,000)
Personal Services	163,049	171,863
All Other	5,485	5,746
TOTAL	168,534	177,609

Provides for the allocation of funds from the transfer of 2 Community Careworker positions, one Planning and Research Associate I position and one Social Services Program Specialist II position from the Child Care Development Fund Block Grant account.

Auditing, Contracting and Licensing Service Center

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(54,380)	(54,380)
All Other	(1,500)	(1,500)
TOTAL	(55,880)	(55,880)

Provides for the deallocation of funds through the transfer of one Drug/Alcohol Research Analyst position to the Office of Substance Abuse in the Department

of Mental Health, Mental Retardation and Substance Abuse Services.

All Other 1,344,636

Provides for the allocation of funds from the balance brought forward from fiscal year 1997-98 to be used for data processing and computer costs in the regional offices related to the Automated Client Eligibility System (ACES).

Additional Support for Persons in Retraining and Employment

Positions - Legislative Count	(6,000)	(6,000)
Personal Services	175,776	181,050
All Other	(196,776)	(181,050)
Capital Expenditures	21,000	

TOTAL 0 0

Provides for the allocation of funds to establish 6 Human Services Aide III positions resulting from the transfer of All Other funds for contracted case management services that have an employer/employee relationship.

Temporary Assistance for Needy Families

All Other 2,887,708

Provides for the allocation of funds from the balance brought forward from fiscal year 1997-98 in the TANF Block Grant benefits into fiscal year 1999-00 to provide for cost-of-living benefit adjustments and similar treatment of earned income statewide.

Additional Support for Persons in Retraining and Employment

All Other 2,972,558

Provides for the allocation of funds from the balance brought forward from fiscal year 1997-98 for ASPIRE-TANF to cover the expansion of transitional child care for working TANF families who voluntarily withdraw from the TANF benefit program, and the increased cost of support services and child care services due to policy changes.

Temporary Assistance for Needy Families

All Other 1,443,854

Provides for the allocation of funds into the TANF Block Grant account in fiscal year 2000-01 from the balance brought forward from fiscal year 1997-98 in the ASPIRE Block Grant account to provide for cost-of-living benefit adjustments and similar treatment of earned income statewide.

Bureau of Family Independence

All Other 5,734,180

Provides for the allocation of funds for the Automated Client Eligibility System (ACES). These funds were originally allocated in fiscal year 1997-98 (\$4,850,000) and in fiscal year 1998-99 (\$884,180) and will be available for reallocation.

DEPARTMENT OF HUMAN SERVICES TOTAL

9,910,644 4,360,532

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Office of Substance Abuse

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,380	54,380
All Other	1,500	1,500

TOTAL 55,880 55,880

Bureau of Family Independence - Regional

Provides for the allocation of funds through the transfer of one Drug/Alcohol Research Analyst position from the Department of Human Services, Audit, Contracting and Licensing Service Center.

position as established by Financial Order 2418 F9 to aid in the establishment of the enhanced 911 system. Three of the Cartographer positions will be terminated December 31, 1999. The remainder of the positions will end June 30, 2001.

Office of Substance Abuse

All Other	877,311	877,311
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Provides for the allocation of funds as a result of an increase in the Substance Abuse Prevention and Treatment block grant for the purpose of providing substance abuse services.

Information Services

Positions - Legislative Count	(9,000)	(9,000)
Personal Services	428,886	439,620

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

TOTAL	933,191	933,191
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Provides for the allocation of funds through the transfer of one Tax Examiner position, one Accountant I position, 3 Information Systems Support Technician positions, 2 Information System Support Specialist II positions, one Information System Support Manager position and one Information System Support Specialist position from the Bureau of Revenue Services program.

SECTION

TOTAL ALLOCATIONS	12,727,835	7,177,723
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Information Services

Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(23,700)	(24,794)

Sec. A-5. Allocation. The following funds are allocated from the Office of Information Services Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Information Services

Positions - Legislative Count	(3,000)	(3,000)
Personal Services	154,467	163,995

Provides for the deallocation of funds to reflect the transfer of one Clerk Typist II position no longer required for operations in the Bureau of Information Services to the Division of Financial and Personnel Services.

Provides for the allocation of funds to reflect the transfer of 2 Programmer Analyst positions and one Senior Programmer Analyst position from the Bureau of Accounts and Control.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

TOTAL	791,283	767,414
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Information Services

Personal Services	231,630	188,593
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SECTION

TOTAL ALLOCATIONS	791,283	767,414
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Provides for the allocation of funds for the continuation of 2 limited-period GIS Coordinator positions and 6 limited-period Cartographer

Sec. A-6. Allocation. The following funds are allocated from the Risk Management Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

1999-00	2000-01
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Claims Risk Management

Personal Services	14,585	15,344
Provides for the allocation of funds for the establishment of one Claims Manager position and the elimination of one Clerk Typist II position.		

Administration - Risk Management

All Other	58,288	57,045
Provides for the allocation of funds to pay for the costs associated with an Assistant Attorney General to handle employment discrimination cases.		

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

72,873	72,389
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SECTION

TOTAL ALLOCATIONS

72,873	72,389
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Sec. A-7. Allocation. The following funds are allocated from the Workers' Compensation Management Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

1999-00	2000-01
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Workers' Compensation Management Fund Program

Personal Services	18,493	
Provides for the allocation of funds to continue one project Employee Benefits Technician position established by Financial Order 2637 F9 to December 1, 1999.		

Administration - Workers' Compensation

All Other	58,288	57,045
Provides for the allocation of funds to pay for the		

costs associated with a Limited-period Assistant Attorney General position to handle workers' compensation cases.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

76,781	57,045
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SECTION

TOTAL ALLOCATIONS

76,781	57,045
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Sec. A-8. Allocation. The following funds are allocated from the Real Property Lease Internal Service Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

1999-00	2000-01
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Buildings and Grounds Operations

All Other	583,914	592,693
Provides for the allocation of funds for the operation of the Lewiston Office Complex that is to be eliminated as a separate operation account and absorbed into the Lease Operations Fund.		

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL

583,914	592,693
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SECTION

TOTAL ALLOCATIONS

583,914	592,693
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Sec. A-9. Allocation. The following funds are allocated from the Island Ferry Services Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

1999-00	2000-01
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TRANSPORTATION, DEPARTMENT OF

Island Ferry Service

All Other	50,000	50,000
Provides for the allocation of funds to provide for the cost of barging highway materials to the islands		

serviced by the Maine State Ferry Service.

Island Ferry Service

Positions - Legislative Count	(1.000)	(1.000)
Positions - FTE Count	(1.750)	(1.750)
Personal Services	65,523	66,498
All Other	938	953
TOTAL	<u>66,461</u>	<u>67,451</u>

Provides for the allocation of funds for one Ferry Service Terminal Agent position, one part-time Ferry Service Terminal Agent position, 1,040 hours, and 2 seasonal Ferry Service Terminal Agent positions, 2,600 hours, to provide additional staffing at the terminals in Rockland and Islesboro.

DEPARTMENT OF TRANSPORTATION

TOTAL	<u>116,461</u>	<u>117,451</u>
SECTION	<u>116,461</u>	<u>117,451</u>
TOTAL ALLOCATIONS	<u>116,461</u>	<u>117,451</u>

Sec. A-10. Allocation. The following funds are allocated from the Highway Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

PUBLIC SAFETY, DEPARTMENT OF

State Police

Personal Services	86,203	89,132
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Provides for the allocation of funds for the Highway Fund share of one Forensic Chemist II position, one DNA Forensic Analyst position and one Forensic Specialist position to support the DNA function of the Maine State Police Crime Laboratory.

State Police

Capital Expenditures	(92,400)	92,400
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Provides for the deallocation of funds for the Highway Fund share of 7 vehicles in fiscal year

1999-00 in order to properly align budget request for the purchase of these vehicles in fiscal year 2000-01.

State Police

Personal Services	113,456	155,155
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Provides for the allocation of funds for the Highway Fund share of one Identification Specialist III position, one Identification Specialist II position, 2 Identification Specialist I positions, one Programmer Analyst position and one Management Analyst II position. These positions are required to service an increased demand for noncriminal justice background checks, to provide support necessary to maintain the criminal history records system, and to provide audit, training and validation services required by law.

DEPARTMENT OF PUBLIC SAFETY

TOTAL	<u>107,259</u>	<u>336,687</u>
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SECTION

TOTAL ALLOCATIONS	<u>107,259</u>	<u>336,687</u>
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PART B

Sec. B-1. Appropriations. There are appropriated from the General Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

1999-00	2000-01
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of the Budget

Personal Services	\$2,620	\$2,627
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Buildings and Grounds Operations

Personal Services	6,796	9,372
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Public Improvements - Division of Safety and Environmental Services

Personal Services 7,626 9,758

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES
TOTAL

17,042 21,757

AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF

Division of Animal Health and Industry

Personal Services 9,672 9,702

DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES
TOTAL

9,672 9,702

ATLANTIC SALMON AUTHORITY

Atlantic Salmon Authority

Personal Services 2,313 2,313

ATLANTIC SALMON AUTHORITY
TOTAL

2,313 2,313

CONSERVATION, DEPARTMENT OF

Administrative Services - Conservation

Personal Services 4,661 5,717

Parks - General Operations

Personal Services 4,462 5,879

DEPARTMENT OF CONSERVATION
TOTAL

9,123 11,596

CORRECTIONS, DEPARTMENT OF

Administration - Corrections

Personal Services 32,110 39,471

Correctional Center

Personal Services 5,121 5,134

DEPARTMENT OF CORRECTIONS
TOTAL

37,231 44,605

ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF

Administration - Economic and Community Development

Personal Services 4,629 4,639

Business Development

Personal Services 1,037 1,040

Maine State Film Commission

Personal Services 7,740 7,763

Office of Tourism

Personal Services 6,379 6,379

DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT
TOTAL

19,785 19,821

EDUCATION, DEPARTMENT OF

Leadership

Personal Services 824 811

Management Information Systems

Personal Services 3,712 3,723

Support Systems

Personal Services 1,919 1,925

DEPARTMENT OF EDUCATION
TOTAL

6,455 6,459

ENVIRONMENTAL PROTECTION, DEPARTMENT OF

Air Quality

Personal Services 549 593

Land And Water Quality

Personal Services 13,636 14,391

DEPARTMENT OF ENVIRONMENTAL PROTECTION
TOTAL

14,185 14,984

EXECUTIVE DEPARTMENT

Planning Office

Personal Services 1,489 1,494

EXECUTIVE DEPARTMENT			
TOTAL	1,489	1,494	
HUMAN SERVICES, DEPARTMENT OF			
Office of Management and Budget			
Personal Services	6,610	6,610	
Bureau of Child and Family Services - Central			
Personal Services	5,620	5,620	
Bureau of Family Independence - Central			
Personal Services	7,025	9,160	
Bureau of Health			
Personal Services	31,890	31,890	
Service Center - Auditing, Contracting and Licensing			
Personal Services	2,925	2,925	
DEPARTMENT OF HUMAN SERVICES			
TOTAL	54,070	56,205	
INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF			
Administrative Services - Inland Fisheries and Wildlife			
Personal Services	3,344	5,658	
DEPARTMENT OF INLAND FISHERIES AND WILDLIFE			
TOTAL	3,344	5,658	
MARINE RESOURCES, DEPARTMENT OF			
Division of Administrative Services			
Personal Services	11,026	11,159	
Bureau of Marine Patrol			
Personal Services	6,345	6,389	
DEPARTMENT OF MARINE RESOURCES			
TOTAL	17,371	17,548	
MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF			
Administration - Mental Health and Mental Retardation			

Personal Services	3,764	5,111
Aroostook Residential Center		
Personal Services	7,477	9,533
Elizabeth Levinson Center		
Personal Services	1,990	1,996
Mental Health Services - Children		
Personal Services	5,773	7,731
Office of Substance Abuse		
Personal Services	27,643	32,203
DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES		
TOTAL	46,647	56,574
PUBLIC SAFETY, DEPARTMENT OF		
Administration - Public Safety		
Personal Services	4,475	4,475
Criminal Justice Academy		
Personal Services	1,165	1,165
DEPARTMENT OF PUBLIC SAFETY		
TOTAL	5,640	5,640
SECTION TOTAL APPROPRIATIONS	244,367	274,356

Sec. B-2. Allocations. There are allocated from the Federal Expenditures Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
CONSERVATION, DEPARTMENT OF		
Division of Forest Policy and Management		
Personal Services	4,028	6,235
All Other	(4,028)	(6,235)
TOTAL	0	0
DEPARTMENT OF CONSERVATION		
TOTAL	0	0

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF		
Military Training and Operations		
Personal Services	2,237	2,237
DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL		
	<u>2,237</u>	<u>2,237</u>
ENVIRONMENTAL PROTECTION, DEPARTMENT OF		
Remediation and Waste Management		
Personal Services	4,405	4,838
Remediation and Waste Management		
Personal Services	5,319	6,998
Remediation and Waste Management		
Personal Services	3,013	4,254
DEPARTMENT OF ENVIRONMENTAL PROTECTION TOTAL		
	<u>12,737</u>	<u>16,090</u>
HUMAN SERVICES, DEPARTMENT OF		
Office of Management and Budget		
Personal Services	7,450	7,450
Bureau of Family Independence - Central		
Personal Services	5,270	5,270
Bureau of Health		
Personal Services	9,715	9,715
Bureau of Medical Services		
Personal Services	27,301	29,505
Office of Management and Budget Operations - Regional		
Personal Services	7,635	8,700
DEPARTMENT OF HUMAN SERVICES TOTAL		
	<u>57,371</u>	<u>60,640</u>

PUBLIC SAFETY, DEPARTMENT OF		
Highway Safety - Department of Public Safety		
Personal Services	2,890	2,890
State Police		
Personal Services	2,005	2,005
DEPARTMENT OF PUBLIC SAFETY TOTAL		
	<u>4,895</u>	<u>4,895</u>
SECTION TOTAL ALLOCATIONS		
	<u>77,240</u>	<u>83,862</u>
Sec. B-3. Allocations. There are allocated from the Other Special Revenue funds for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.		
	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Division of Financial and Personnel Services		
Personal Services	3,723	5,734
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES TOTAL		
	<u>3,723</u>	<u>5,734</u>
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Division of Animal Health and Industry		
Personal Services	3,224	3,234
All Other	(3,224)	(3,234)
TOTAL		
	<u>0</u>	<u>0</u>
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES TOTAL		
	<u>0</u>	<u>0</u>
BAXTER STATE PARK AUTHORITY		
Baxter State Park Authority		
Personal Services	2,750	4,366
BAXTER STATE PARK AUTHORITY TOTAL		
	<u>2,750</u>	<u>4,366</u>

**CONSERVATION,
DEPARTMENT OF**

**Administrative Services -
Conservation**

Personal Services	1,528	2,575
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Boating Facilities Fund

Personal Services	5,341	5,931
All Other	(5,341)	(5,931)
TOTAL	0	0

**DEPARTMENT OF
CONSERVATION
TOTAL**

	1,528	2,575
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**CORRECTIONS,
DEPARTMENT OF**

Charleston Correctional Facility

Personal Services	2,322	2,338
All Other	(2,322)	(2,338)
TOTAL	0	0

**DEPARTMENT OF
CORRECTIONS
TOTAL**

	0	0
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**ENVIRONMENTAL
PROTECTION,
DEPARTMENT OF**

**Maine Environmental
Protection Fund**

Personal Services	14,744	17,118
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**Remediation and Waste
Management**

Personal Services	3,059	3,124
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**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
TOTAL**

	17,803	20,242
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EXECUTIVE DEPARTMENT

Planning Office

Personal Services	2,423	2,431
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**EXECUTIVE DEPARTMENT
TOTAL**

	2,423	2,431
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**HUMAN SERVICES,
DEPARTMENT OF**

Plumbing - Control Over

Personal Services	3,280	3,280
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**DEPARTMENT OF HUMAN
SERVICES
TOTAL**

	3,280	3,280
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**MARINE RESOURCES,
DEPARTMENT OF**

**Division of Administrative
Services**

Personal Services	6,985	7,006
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**Bureau of Resource
Management**

Personal Services	4,914	6,756
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**DEPARTMENT OF MARINE
RESOURCES
TOTAL**

	11,899	13,762
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**PROFESSIONAL AND
FINANCIAL REGULATION,
DEPARTMENT OF**

**Administrative Services -
Professional and Financial
Regulation**

Personal Services	9,279	9,279
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**DEPARTMENT OF
PROFESSIONAL AND
FINANCIAL REGULATION
TOTAL**

	9,279	9,279
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**PUBLIC SAFETY,
DEPARTMENT OF**

Criminal Justice Academy

Personal Services	1,935	1,935
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**Emergency Services
Communication Bureau**

Personal Services	1,957	1,957
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Office of Fire Marshal

Personal Services	26,824	26,824
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**DEPARTMENT OF PUBLIC
SAFETY
TOTAL**

	30,716	30,716
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**SECTION
TOTAL ALLOCATIONS**

	83,401	92,385
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Sec. B-4. Allocations. There are allocated from the Federal Block Grant Fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

1999-00 2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Health

Personal Services	3,055	3,055
All Other	(3,055)	(3,055)
TOTAL	<u>0</u>	<u>0</u>

Hypertension Control

Personal Services	1,555	1,835
All Other	(1,555)	(1,835)
TOTAL	<u>0</u>	<u>0</u>

Maternal and Child Health

Personal Services	5,725	5,725
All Other	(5,725)	(5,725)
TOTAL	<u>0</u>	<u>0</u>

Risk Reduction

Personal Services	2,115	2,115
All Other	(2,115)	(2,115)
TOTAL	<u>0</u>	<u>0</u>

DEPARTMENT OF HUMAN SERVICES

TOTAL	<u>0</u>	<u>0</u>
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SECTION

TOTAL ALLOCATIONS	<u>0</u>	<u>0</u>
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Sec. B-5. Allocations. There are allocated from the Central Motor Pool fund for the fiscal years ending June 30, 2000 and June 30, 2001 to the departments listed the sums identified in the following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Central Motor Pool		
Personal Services	724	726
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	<u>724</u>	<u>726</u>
SECTION		
TOTAL ALLOCATIONS	<u>\$724</u>	<u>\$726</u>

PART C

Sec. C-1. Appropriation. There are appropriated from the General Fund for the fiscal years ending June 30, 2000 and June 30, 2001, to the departments listed, the sums identified in the

following in order to provide funding for approved reclassifications and range changes.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Buildings and Grounds Operations		
All Other	(\$14,422)	(\$19,130)
Provides funds for approved reclassifications in this program and the Public Improvements - Division of Safety and Environmental Services program.		
Revenue Services - Bureau Of		
All Other	(2,620)	(2,627)
Provides funds for an approved reclassification and a range change in the Bureau of the Budget program.		
DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES		
TOTAL	<u>(17,042)</u>	<u>(21,757)</u>
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Division Of Animal Health And Industry		
All Other	(9,672)	(9,702)
Provides funds for approved range changes.		
DEPARTMENT OF AGRICULTURE, FOOD AND RURAL RESOURCES		
TOTAL	<u>(9,672)</u>	<u>(9,702)</u>
ATLANTIC SALMON AUTHORITY		
Atlantic Salmon Authority		
All Other	(2,313)	(2,313)
Provides funds for an approved reclassification.		
ATLANTIC SALMON AUTHORITY		
TOTAL	<u>(2,313)</u>	<u>(2,313)</u>

**CONSERVATION,
DEPARTMENT OF**

**Administrative Services -
Conservation**

All Other	(4,661)	(5,717)
Provides funds for approved reclassifications.		

Parks - General Operations

All Other	(462)	(1,879)
Capital Expenditures	(4,000)	(4,000)
TOTAL	(4,462)	(5,879)
Provides funds for approved reclassifications.		

**DEPARTMENT OF
CONSERVATION
TOTAL**

(9,123)	(11,596)
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**CORRECTIONS,
DEPARTMENT OF**

**Correctional Program
Improvement**

All Other	(32,110)	(39,471)
Provides funds for approved reclassifications in the Administration - Corrections program.		

Correctional Center

All Other	(5,121)	(5,134)
Provides funds for an approved reclassification.		

**DEPARTMENT OF
CORRECTIONS
TOTAL**

(37,231)	(44,605)
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**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

**Administration - Economic and
Community Development**

All Other	(4,629)	(4,639)
Provides funds for an approved reclassification.		

Business Development

All Other	(1,037)	(1,040)
Provides funds for an approved reclassification.		

Office Of Tourism

All Other	(14,119)	(14,142)
Provides funds for an approved reclassification in this program and range changes in the Maine State Film Commission program.		

**DEPARTMENT OF
ECONOMIC AND
COMMUNITY
DEVELOPMENT
TOTAL**

(19,785)	(19,821)
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**EDUCATION, DEPARTMENT
OF**

Leadership

All Other	(824)	(811)
Provides funds for an approved reclassification.		

**Management Information
Systems**

All Other	(3,712)	(3,723)
Provides funds for an approved reclassification.		

Support Systems

All Other	(1,919)	(1,925)
Provides funds for an approved reclassification.		

**DEPARTMENT OF
EDUCATION
TOTAL**

(6,455)	(6,459)
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**ENVIRONMENTAL
PROTECTION,
DEPARTMENT OF**

Air Quality

All Other	(549)	(593)
Provides funds for an approved reclassification.		

Land And Water Quality

All Other	(13,636)	(14,391)
Provides funds for approved reclassifications.		

**DEPARTMENT OF
ENVIRONMENTAL
PROTECTION
TOTAL**

(14,185)	(14,984)
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EXECUTIVE DEPARTMENT

Planning Office

All Other (1,489) (1,494)
 Provides funds for an approved reclassification.

EXECUTIVE DEPARTMENT TOTAL

(1,489) (1,494)

HUMAN SERVICES, DEPARTMENT OF

Office Of Management And Budget

All Other (6,610) (6,610)
 Provides funds for an approved reclassification.

Bureau Of Child And Family Services - Central

All Other (5,620) (5,620)
 Provides funds for an approved reclassification.

Bureau Of Family Independence - Central

All Other (7,025) (9,160)
 Provides funds for approved reclassifications.

Health - Bureau Of

All Other (31,890) (31,890)
 Provides funds for approved reclassifications and range changes.

Service Center - Auditing, Contracting And Licensing

All Other (2,925) (2,925)
 Provides funds for an approved reclassification.

DEPARTMENT OF HUMAN SERVICES TOTAL

(54,070) (56,205)

INLAND FISHERIES AND WILDLIFE, DEPARTMENT OF

Administrative Services - Inland Fisheries and Wildlife

All Other (3,344) (5,658)
 Provides funds for an approved reclassification.

DEPARTMENT OF INLAND FISHERIES AND WILDLIFE TOTAL

(3,344) (5,658)

MARINE RESOURCES, DEPARTMENT OF

Division Of Administrative Services

All Other (11,026) (11,159)
 Provides funds for approved reclassifications and a range change.

Marine Patrol - Bureau Of

All Other (6,345) (6,389)
 Provides funds for an approved range change.

DEPARTMENT OF MARINE RESOURCES TOTAL

(17,371) (17,548)

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE, DEPARTMENT OF

Administration - Mental Health and Mental Retardation

All Other (3,764) (5,111)
 Provides funds for an approved reclassification.

Mental Health Services - Children

All Other (7,763) (9,727)
 Provides funds for approved reclassifications in this program and the Elizabeth Levinson Center program.

Mental Retardation Services - Community

All Other (7,477) (9,533)
 Provides funds for an approved reclassification in the Aroostook Residential Center program.

Office Of Substance Abuse

All Other (27,643) (32,203)
 Provides funds for approved reclassifications.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE TOTAL	(46,647)	(56,574)
PUBLIC SAFETY, DEPARTMENT OF Administration - Public Safety		
All Other	(4,475)	(4,475)
Provides funds for approved reclassifications and a range change.		
Criminal Justice Academy		
All Other	(1,165)	(1,165)
Provides funds for an approved reclassification.		
DEPARTMENT OF PUBLIC SAFETY TOTAL	(5,640)	(5,640)
SECTION TOTAL APPROPRIATIONS	(\$244,367)	(\$274,356)

PART D

Sec. D-1. Allocation. In order to provide for the essential capital financing needs of state facilities for the biennium, the following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

	1999-00	2000-01
CORRECTIONS, DEPARTMENT OF Capital Construction/Repairs/ Improvements - Corrections		
All Other	\$2,270,440	\$2,336,282

PART E

Sec. E-1. 5 MRSA §1509-A, as enacted by PL 1997, c. 643, Pt. U, §1, is amended to read:

§1509-A. Payment by credit card

State departments and agencies may implement, with the approval of the State Controller, procedures for accepting payment for goods ~~and~~ services, fines, forfeitures or any other fees by major credit cards or other electronic means. Unless otherwise provided for in law as of the effective date of this section, any administrative expenses or credit card fees incurred in connection with this method of receiving funds must be absorbed within the existing budget of the department or agency as authorized by the Legislature.

Sec. E-2. 5 MRSA §1590 is enacted to read:

§1590. Nonlapsing funds

1. Salary Plan. Any balance remaining in the Salary Plan program in the Department of Administrative and Financial Services at the end of any fiscal year must be carried forward for the next fiscal year.

2. Capital Construction, Repairs, Improvements. Any balance remaining in the General Fund Capital, Construction, Repairs, Improvements - Administrative program in the Department of Administrative and Financial Services at the end of any fiscal year must be carried forward for the next fiscal year.

Sec. E-3. Department of Administrative and Financial Services; lease-purchase authorization. Pursuant to the Maine Revised Statutes, Title 5, section 1587, the Department of Administrative and Financial Services in cooperation with the Treasurer of State may enter into financing arrangements in fiscal years 1999-00 and 2000-01 for the acquisition of motor vehicles for the Central Motor Pool. The financing agreements may not exceed 4 years in duration and \$4,600,000 in principal costs. The interest rate may not exceed 6% and total interest costs may not exceed \$690,000. The annual principal and interest costs must be paid from the appropriate line category allocations in the Central Motor Pool account.

Sec. E-4. Proceeds from sale of property. Notwithstanding any provision of the law, any proceeds from the sale of property currently located at the Maine Youth Center in South Portland, must be deposited in the Capital Construction and Improvement Reserve Fund - MYC account in the Department of Administrative and Financial Services.

Sec. E-5. Position authorization. Notwithstanding any other provision of law, the Department of Administrative and Financial Services, Bureau of the Budget is authorized to establish one limited-period Senior Budget Analyst position for backup for an existing position assigned full time to the design and implementation of the new Budget Management System and one limited-period Management Analyst II position to provide project management support to the Budget Management System project team. These positions must be funded from the Budget Management System project budget provided for in Public Law 1999, chapter 4 and must end on August 31, 2000.

Sec. E-6. Revenue reprojected. Notwithstanding the Maine Revised Statutes, Title 5, section 1513, subsection 1, the March and May 1999 increases of revenue estimates for fiscal year 1998-99 during the First Regular Session of the 119th Legisla-

ture do not require an increase in the transfer to the Maine Rainy Day Fund.

Sec. E-7. Revenue reprojection. Notwithstanding the Maine Revised Statutes, Title 5, section 1517, the March and May 1999 increases of revenue estimates for fiscal year 1998-99 during the First Regular Session of the 119th Legislature do not require an increase in the appropriation to the Retirement Allowance Fund.

Sec. E-8. Carrying balance. An amount not to exceed \$1,100,000 of unencumbered balance remaining on June 30, 1999 in the General Fund Homestead Property Tax Exemption Reimbursement program in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 2000 to be used for the same purpose.

Sec. E-9. Carrying balance. An amount not to exceed \$60,000 of unencumbered balance remaining on June 30, 1999 in the General Fund Homestead Property Tax Exemption - Mandate Reimbursement program in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 2000 to be used for the same purpose.

Sec. E-10. Carrying balance. An amount not to exceed \$1,800,000 of unencumbered balance remaining on June 30, 1999 in the General Fund Maine Residents Property Tax Program in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 2000 to be used for the same purpose.

Sec. E-11. Carrying balance. An amount not to exceed \$700,000 of unencumbered balance remaining on June 30, 1999 in the General Fund Tree Growth Tax Reimbursement program in the Department of Administrative and Financial Services may not lapse but must be carried forward to June 30, 2000 to be used for the same purpose.

Sec. E-12. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1811 or any other provision of law, \$11,128,776 that was transferred from the General Fund as a result of the statutory reduction of the sales and use tax in fiscal year 1998-99 must be transferred to the General Fund on or before June 30, 2000.

PART F

Sec. F-1. Voluntary employee incentive programs. Notwithstanding the Maine Revised Statutes, Title 5, section 903, subsections 1 and 2, the Commissioner of Administrative and Financial Services shall offer for use, prior to July 1, 2001, special voluntary employee incentive programs,

including a 50% workweek option, flexible position staffing and time off without pay. Employee participation in a voluntary employee incentive program is subject to the approval of the employee's appointing authority.

Sec. F-2. Continuation of health insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 285, subsection 7 and section 903, for state employees who apply prior to July 1, 2001 to participate in a voluntary employee incentive program, the State shall continue to pay health and dental insurance benefits based upon the scheduled workweek in effect prior to the participation in the voluntary employee incentive program.

Sec. F-3. Continuation of group life insurance. Notwithstanding the Maine Revised Statutes, Title 5, section 903 and section 18056, subsection 1, paragraph A and the rules of the Maine State Retirement System, the life, accidental death and dismemberment, supplemental and dependent insurance amounts for state employees who apply prior to July 1, 2001 to participate in voluntary employee incentive programs are based upon the scheduled hours of the employees prior to the participation in the voluntary employee incentive programs.

Sec. F-4. General Fund savings. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, General Fund savings as a result of the voluntary employee incentive program may not be used to fund other state programs but must be used to offset the deappropriation pursuant to Public Law 1999, chapter 16, Part B. The State Budget Officer shall submit a report to the First Regular Session and the Second Regular Session of the 120th Legislature.

PART G

Sec. G-1. Maine Advocacy Services; re-name program. The following program is renamed as follows: "Maine Advocacy Services" is renamed "Disability Rights Center."

PART H

Sec. H-1. 7 MRSA §2-B is enacted to read:

§2-B. Rural Rehabilitation Operating Fund

The Rural Rehabilitation Operating Fund is established as a nonlapsing fund in the Department of Agriculture, Food and Rural Resources to be used for the administrative expenditures incurred in the operation of the Rural Rehabilitation Trust Fund and the issuance of scholarships and loans from that trust fund. The Rural Rehabilitation Operating Fund must receive all interest earned on the trust fund balance and any interest collected on outstanding loans

receivable. Unexpended balances in the Rural Rehabilitation Operating Fund at the end of a fiscal year may not lapse, but are carried forward to the next fiscal year to be used for the same purpose.

Sec. H-2. 7 MRSA §2701, first ¶, as amended by PL 1997, c. 480, §1, is further amended to read:

All persons owning honeybees within the State shall annually notify the commissioner of the keeping of bees and the location of the bees and shall forward to the commissioner for deposit with the Treasurer of State an annual license fee not to exceed \$2 per colony for all bees kept on June 15th of each year. A license may be issued for a one-year, 2-year or 3-year period. Licenses for a period in excess of one year may be issued only with the agreement of or at the request of the applicant. The fee for a 2-year license is 2 times the annual fee. The fee for a 3-year license is 3 times the annual fee. Fees must be established by rule in accordance with the Maine Administrative Procedure Act. No license fee returned may be less than \$2 per beekeeper. License fees accrue as a dedicated revenue to the Division of Plant Industry to fund the cost of apiary inspection and licensing.

Sec. H-3. 7 MRSA §2754, as amended by PL 1997, c. 480, §2, is further amended to read:

§2754. Registration fees

A registration fee not to exceed \$2 per colony for all bees to be shipped or moved into the State must be forwarded to the commissioner for deposit with the Treasurer of State. Fees must be established by rule in accordance with the Maine Administrative Procedure Act. The fees accrue as dedicated revenue to the Division of Plant Industry to fund the cost of apiary inspection and licensing.

PART I

Sec. I-1. 12 MRSA §1863, sub-§3, as enacted by PL 1997, c. 678, §13, is repealed and the following enacted in its place:

3. Fund sources. Annual revenues, less operating expenses from the submerged and intertidal lands program and the abandoned watercraft program and conveyances of submerged and intertidal lands by the Legislature, must be deposited in the fund.

PART J

Sec. J-1. 5 MRSA §1583-A, as amended by PL 1999, c. 127, Pt. A, §5, is further amended to read:

§1583-A. Creation of positions

Notwithstanding any other provision of law, limited period, project or any other temporary positions may be established by financial order so long as the end date for such positions does not exceed the statutory adjournment date for the next regular session of the Legislature. Temporary positions established by financial order may not be continued past the statutory adjournment date unless the Legislature specifically appropriates or allocates funds to continue those positions.

Sec. J-2. Department of Corrections; re-name program. The following program is renamed as follows: "Probation & Parole" is renamed "Adult Community Corrections."

Sec. J-3. Rename Maine Youth Center. Notwithstanding any other provisions of law, on March 1, 2001, the title of the Maine Youth Center is changed to the Southern Maine Juvenile Facility.

Sec. J-4. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "Maine Youth Center" appear or reference is made to that entity or those words, they are amended to read and mean "Southern Maine Juvenile Facility," or "facility" as appropriate and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. J-5. Rename Northern Maine Regional Juvenile Detention Facility. Notwithstanding any other provisions of law, on June 1, 2001, the title of Northern Maine Regional Juvenile Detention Facility is changed to the Northern Maine Juvenile Facility.

Sec. J-6. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "Northern Maine Regional Detention Facility" appear or reference is made to that entity or those words, they are amended to read and mean "Northern Maine Juvenile Facility," or "facility" as appropriate and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. J-7. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585, or any other provision of law, for the 2000-2001 biennium, the Department of Corrections is authorized to transfer, by financial order, Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the payment of overtime expenses and authorized labor market adjustments for teachers at the Maine Youth Center in accordance with Title 5, section 7065.

Sec. J-8. Transfer of funds. Notwithstanding the Maine Revised Statutes, Title 5, section 1585,

or any other provision of law, for the 2000-2001 biennium, the Department of Education is authorized to transfer, by financial order, Personal Services, All Other or Capital Expenditures funding between accounts within the same fund for the payment of market salary adjustments for teachers at the Governor Baxter School for the Deaf in accordance with Title 5, section 7065. If available resources within the department are not sufficient to meet the costs of the market salary adjustments, the Governor, upon the recommendation of the State Budget Officer, is authorized to transfer funds from the appropriate salary plan to the department to providing funding to meet the costs.

PART K

Sec. K-1. 6 MRSA §301, as enacted by PL 1977, c. 678, §48, is amended to read:

§301. Civil Air Patrol

~~The commissioner shall allocate and supervise any funds made available by the Legislature to the Civil Air Patrol, which patrol shall expend such funds made available to it pursuant to Title 37-B, section 3, subsection 1, paragraph D, subparagraph (13) as in its best judgment would most effectively carry out its purpose and objectives.~~

Sec. K-2. 37-B MRSA §3, sub-§1, ¶D, as amended by PL 1995, c. 684, §1, is further amended by enacting a new subparagraph (13) to read:

(13) The Adjutant General shall allocate and supervise any funds made available by the Legislature to the Civil Air Patrol.

Sec. K-3. 37-B MRSA §156 is enacted to read:

§156. Loring Center of Excellence Operations and Maintenance Fund

The Loring Center of Excellence Operations and Maintenance Fund is established in the Military Bureau as a nonlapsing fund in order that the Commissioner of the Department of Defense, Veterans and Emergency Management may accept funds from the Department of Defense, Department of the Army, Department of the Air Force, Department of the Navy or the National Guard Bureau, or any instrumentality thereof, as necessary to carry out the purpose of any cooperative agreement between the Military Bureau and the Department of Defense, Department of the Army, Department of the Air Force, Department of the Navy or the National Guard Bureau, or any instrumentality thereof. The Treasurer of the State shall credit all interest on fund balances to the Loring Center of Excellence Operations and Maintenance Fund.

PART L

Sec. L-1. 22 MRSA §6-C, as amended by PL 1995, c. 560, Pt. K, §82 and affected by §83 and enacted by PL 1995, c. 665, Pt. CC, §1 and affected by §2, is further amended to read:

§6-C. Community Services Center

1. Establishment. ~~The Audit, Contracting and Licensing Service~~ Community Services Center, referred to in this section as the "service center," is established to provide auditing, licensing and contracting services to the department and the Department of Mental Health, Mental Retardation and Substance Abuse Services, referred to in this section as the "departments." Auditing, contracting and licensing services include, but are not limited to, program audits, performance-based contracting, federal grant management, licensing, complaint investigations and other functions as may be determined jointly by the commissioners of the departments, except that administrative hearing functions may not be transferred to the service center. The service center's purpose is to provide a single point of access for purchasing ~~social and coordinating~~ administration of contracted community services and to coordinate licensing and auditing visits for social service providers in a cost-effective manner to the departments. The service center is under the joint authority and direction of the commissioners of the departments or their designees. The commissioners of the departments, by unanimous decision, shall employ a director of the service center, who is subject to the Civil Service Law.

2. Transfer of property. The commissioners of the departments shall approve the transfer of property and equipment as needed for the operation of the service center.

3. Contracting function. ~~The contracting unit~~ Division of Contracted Community Services of the service center shall provide technical assistance to the bureaus of the department and to the Department of Mental Health, Mental Retardation and Substance Abuse Services in procuring, distributing and monitoring all state and federal funds. The bureaus of the department and the Department of Mental Health, Mental Retardation and Substance Abuse Services retain responsibility for policy direction and decision-making authority regarding their funding and services.

4. Repeal. ~~This section is repealed June 30, 1999.~~

5. Licensing function. ~~The Department of Mental Health, Mental Retardation and Substance Abuse Services~~ retains responsibility for policy direction and decision-making authority regarding licensing decisions concerning facilities providing

mental health, mental retardation or substance abuse services.

Sec. L-2. PL 1995, c. 665, Pt. CC, §§2 to 6 are amended to read:

Sec. CC-2. Effective date. ~~Section 1 of this Part, which enacts the Maine Revised Statutes, Title 22, section 6-C, takes effect immediately for the purposes of initiating necessary implementation, including transfer of positions and hiring of personnel. The Audit, Contracting and Licensing Service Community Services Center becomes operational for all other purposes July 1, 1996.~~

Sec. CC-3. Department of Human Services as fiscal agent. The Department of Human Services shall serve as fiscal agent of the ~~Audit, Contracting and Licensing Service Community Services Center for the Department of Human Services and the Department of Mental Health and Mental Retardation~~ Department of Mental Health, Mental Retardation and Substance Abuse Services. The fiscal agent shall perform such functions as processing payment vouchers and contract payrolls and documents, handling personnel and payroll matters, providing financial management service and performing other related, required functions as agreed upon by the 3 entities.

Sec. CC-4. Transfer of positions. Notwithstanding any other provision of law, the ~~Department of Mental Health and Mental Retardation and the Office of Substance Abuse are~~ Department of Mental Health, Mental Retardation and Substance Abuse Services is authorized, by financial order, to transfer to the Department of Human Services the positions recommended by the Productivity Realization Task Force that are necessary for the proper operation of the ~~Audit, Contracting and Licensing Service Community Services Center.~~ A listing of the positions is on file in the Bureau of the Budget.

Sec. CC-5. Report on service center operation. The Commissioner of Human Services and the Commissioner of Mental Health ~~and~~ Mental Retardation and Substance Abuse Services shall report to the joint standing committee of the Legislature having jurisdiction over human resource matters ~~on January 1, 1997 and January 1, 1998~~ annually on the operation of the ~~Audit, Contracting and Licensing Service Community Services Center~~ established in this Part. The report must address adequacy of staffing, improved service to the public and administrative efficiency.

Sec. CC-6. Extension of responsibility. The transfer of functions from the Department of Human Services and the ~~Department of Mental Health and Mental Retardation~~ Department of Mental Health, Mental Retardation and Substance Abuse Services to

the ~~Audit, Contracting and Licensing Service Community Services Center~~ pursuant to this Part also extends the authority and responsibility for those functions to the service center.

Sec. L-3. Transfer of funds. Notwithstanding any other provision of law, the State Controller may transfer \$900,000 in fiscal year 1999-00 and \$900,000 in fiscal year 2000-01 in the Foster Care program, Federal Expenditures Fund account in the Department of Human Services to General Fund undedicated revenue no later than June 30, 2000 and June 30, 2001.

PART M

Sec. M-1. 12 MRSA §7035, sub-§4, as amended by PL 1997, c. 432, §4, is further amended to read:

4. Search and rescue. Whenever the commissioner receives notification that any person has gone into the woodlands or onto the inland waters of the State on a hunting, fishing or other trip and has become lost, stranded or drowned, the commissioner shall exercise the authority to take reasonable steps to ensure the safe and timely recovery of that person; except in cases involving downed or lost aircraft covered by Title 6, section 303.

A. The commissioner may summon any person in the State to assist in those search and rescue attempts. Each person summoned shall be paid at a rate set by the commissioner with the approval of the Governor and shall be provided with subsistence while engaged in these activities.

C. The commissioner may enter into written agreements with other agencies or corporations, including commercial recreational areas, allowing partial search and rescue responsibility within specified areas.

D. The commissioner may terminate a search and rescue operation by members of his department when, in his opinion, all reasonable efforts have been exhausted.

E. The commissioner may recover all costs directly related to a specific search and rescue operation:

(1) From the person for whom the search and rescue operation was conducted; or

(2) If a person knowingly provided false information that leads to a search and rescue operation, from the person who provided that false information.

Any person who has knowledge that another person is lost, stranded or drowned in the woodlands or inland waters of the State shall notify the Warden Service Division of the Department of Inland Fisheries and Wildlife.

Appropriations to the Department-wide Inland Fisheries and Wildlife program in the department for costs that are associated with search and rescue may not be considered amounts appropriated to the department under the Constitution of Maine, Article IX, Section 22. The liability of the General Fund for search and rescue costs is limited to the amount appropriated.

Sec. M-2. Transfer of funds. Notwithstanding any other provision of law, the State Controller may transfer \$10,000 from the General Fund "Carrying Balances - Inland Fisheries and Wildlife" program to the Promotional Account, Other Special Revenue fund in the "Office of the Commissioner - Inland Fisheries and Wildlife" program in fiscal year 1999-00.

PART N

Sec. N-1. Limited-period positions; Judicial Department. The Judicial Department is authorized to continue, through December 31, 2000, 2 Limited-period Co-trainer positions to provide technical and procedural training and support on the use of the newly created Maine Judicial Information System. These 2 positions were established by Financial Order 2722 F9 on December 10, 1998. The cost of these 2 positions can be absorbed by the department within existing resources.

PART O

Sec. O-1. Library Development Services; rename program. The following program in the Maine State Library is renamed as follows: "Library Development Services" is renamed "Maine State Library."

PART P

Sec. P-1. Department of Mental Health, Mental Retardation and Substance Abuse Services; rename programs. Programs in the Department of Mental Health, Mental Retardation and Substance Abuse Services are renamed as follows: "Regional Administration" to "Regional Operations" and "Administration - Mental Health and Mental Retardation" to "Office of Management and Budget."

Sec. P-2. Department of Mental Health, Mental Retardation and Substance Abuse Services; limited-period positions. Notwithstanding any other provision of law, the Department

of Mental Health, Mental Retardation and Substance Abuse Services is authorized to establish in the Mental Health Services - Children program the following limited-period positions: one Psychologist II position, one Data Control Specialist position and 3 Nurse III positions in order to provide utilization review of the gatekeeping system for children's services. These positions must be funded using balances brought forward from fiscal year 1998-99 in the Mental Health Services - Children, Mental Health Services - Child Medicaid, Mental Health Services - Community, Mental Health Services - Community Medicaid, Mental Retardation Services - Community or Medicaid Services - Mental Retardation programs. These positions will end on June 16, 2001 unless extended through legislative approval. This request will generate \$88,538 in General Fund undedicated revenue in fiscal year 1999-00 and \$91,292 in fiscal year 2000-01.

Sec. P-3. Department of Mental Health, Mental Retardation and Substance Abuse Services; cost settlements. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Department of Mental Health, Mental Retardation and Substance Abuse Services shall seek reimbursement of expenditures under Medicaid Title XIX for cost settlements due the department from private nonmedical institutions. Revenue from any such reimbursement must be deposited in Mental Health Services - Community or Mental Health Services - Children Other Special Revenue accounts for the purpose of community development. The allotment of available funds must be implemented by financial order contingent upon the recommendation of the State Budget Officer and approval of the Governor and upon review by the Joint Standing Committee on Appropriations and Financial Affairs. The financial order must include a plan outlining how these funds will be expended and what effect, if any, such expenditure would have on future appropriations. This financial order takes effect upon approval by the Governor. The authority granted in this section terminates on January 31, 2000 unless specifically extended by the Legislature. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall submit a report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 14, 2000 that summarizes cost settlement payments that have occurred prior to that date along with an estimate of payments projected through June 30, 2000.

Sec. P-4. Carrying balance. Any balance remaining on June 30, 1999 in the Mental Health Services - Community, Mental Retardation Services - Community and Mental Health Services - Children accounts may not lapse but must be carried forward to June 30, 2000 to be used for community development.

The Department of Mental Health, Mental Retardation and Substance Abuse Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 14, 2000 concerning the amounts carried forward from June 30, 1999 and how those resources were used in fiscal year 1999-00.

Sec. P-5. Appropriation and position transfer. Notwithstanding the Maine Revised Statutes, Title 5, section 1585 or any other provision of law, the Commissioner of Mental Health, Mental Retardation and Substance Abuse Services, as an interim strategy to reduce the size of the Augusta Mental Health Institute and the Bangor Mental Health Institute, is authorized by financial order to transfer positions to the Mental Health Services - Community program and to transfer available balances of appropriations and allocations between line categories and accounts within Augusta Mental Health Institute, Disproportionate Share - Augusta Mental Health Institute; Bangor Mental Health Institute, Disproportionate Share - Bangor Mental Health Institute; and Mental Health Services - Community programs as the positions and funds become available through the reduction in size of the Augusta Mental Health Institute and the Bangor Mental Health Institute. The net amount to be transferred from the Augusta Mental Health Institute to the Mental Health Services - Community program in fiscal years 1999-00 and 2000-01 may not be less than \$300,000 per year to be used for the purpose of funding a safe house for trauma victims in southern Maine. Positions and funding from the Augusta Mental Health Institute budget must be transferred as needed for reassignment to support services consistent with the Augusta Mental Health Institute Consent Decree Plan. Positions transferred by financial order during fiscal year 1999-00 terminate on March 31, 2000 unless extended through legislative approval. Positions transferred by financial order during fiscal year 2000-01 terminate on May 31, 2001 unless extended through legislative approval. The Department of Mental Health, Mental Retardation and Substance Abuse Services shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services by January 14, 2000 summarizing the financial transactions taken to implement this section along with the department's assessment of the effectiveness of the safe house.

PART Q

Sec. Q-1. Administration - Museum. The following program in the Maine State Museum is renamed as follows: "Administration - Museum" is renamed "Maine State Museum."

PART R

Sec. R-1. 36 MRSA §6201, sub-§11-A, as amended by PL 1999, c. 16, Pt. D, §1, is further amended to read:

11-A. Rent constituting property taxes accrued for nonelderly household. "Rent constituting property taxes accrued for nonelderly household" means ~~15%~~ 18% of the gross rent actually paid in cash or its equivalent in any tax year by a claimant and the claimant's household solely for the right of occupancy of their Maine homestead in the tax year and which rent constitutes the basis, in the succeeding calendar year, of a claim for relief under this chapter by the claimant.

Sec. R-2. Application. This Part applies to applications under the Maine Residents Property Tax Program filed on or after August 1, 1999.

Sec. R-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF		
Maine Residents Property Tax Program		
All Other	\$1,600,000	\$1,600,000
Provides funds to increase the renter's benefit under the Maine Residents Property Tax Program.		

PART S

Sec. S-1. 19-A MRSA §2402, as enacted by PL 1995, c. 694, Pt. B, §2 and affected by Pt. E, §2 and amended by PL 1997, c. 530, Pt. A, §34, is further amended to read:

§2402. Dedicated funds

All collections, fees and incentive payments received by the department from child support collections must be dedicated to reduce the State's General Fund share of Temporary Assistance for Needy Families and to cover the costs of making such collections. The department may not expend more than ~~\$2,654,000~~ \$2,786,700 in any fiscal year of incentive payment revenue for the purpose of covering the costs of making child support collections.

Sec. S-2. 22 MRSA §3104-A, sub-§4, as enacted by PL 1997, c. 731, §1 and affected by §3, is repealed.

Sec. S-3. 22 MRSA §3762, sub-§3, ¶B, as enacted by PL 1997, c. 530, Pt. A, §16, is amended by amending subparagraph (7) to read:

(7) In determining benefit levels for TANF recipients ~~living in Kennebec, Knox, Lincoln, Penobscot, Piscataquis, Sagadahoc, Waldo and York counties~~ who have earnings from employment, the department shall disregard from monthly earnings the following:

- (i) One hundred and ~~forty eight~~ fifty eight dollars;
- (ii) Fifty percent of the remaining earnings that are less than the federal poverty level; and
- (iii) All actual child care costs necessary for work, except that the department may limit the child care disregard to \$175 per month per child, or \$200 per month per child under 2 years of age or with special needs.

The monthly benefit is the lower of the maximum payment level or the difference between the countable earnings and the standard of need.

~~Assistance provided under this subparagraph may not be paid for with federal funds provided under the United States Social Security Act, Title IV A, provided that the state funds used for this subparagraph may be counted, without penalty, towards the State's federal maintenance of effort requirement.~~

~~The department shall evaluate the impact of calculating the earned income disregard in accordance with this subparagraph and shall report its findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters by February 15, 2000.~~

Sec. S-4. 22 MRSA §3769-B, as enacted by PL 1997, c. 643, Pt. VV, §1, is amended to read:

§3769-B. Assistance in meeting basic needs

Beginning July 1, 1998 and ending June 30, 1999, the department shall increase the maximum amount of TANF assistance by an amount equal to 5% of the maximum payments that were in effect on January 1, 1998 and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 1998.

Beginning July 1, 1999, the department shall increase the maximum amount of TANF assistance by an amount equal to 5% of the maximum payments that were in effect on July 1, 1998 for assistance units with no earned income disregard and shall increase the standard of need to maintain the same differential between the maximum payment and the standard of need that was in effect on January 1, 1998.

~~**1. Limitation.** The assistance increase required by this section does not apply to assistance units with earned income disregarded pursuant to department rule or section 3762, subsection 3, paragraph B, subparagraph (7).~~

2. Determination of eligibility. In determining eligibility for TANF benefits for applicants after July 1, 1998, the department shall use the gross income pretest in effect on January 1, 1998.

~~**3. Coordination with special housing allowance.** The assistance increase required by this section does not decrease the special housing allowance payment under section 3762, subsection 3, paragraph B, subparagraph (6) to assistance units that have received the special housing allowance without interruption since June 1998.~~

PART T

Sec. T-1. 22 MRSA §3174-V is enacted to read:

§3174-V. Federally qualified health center reimbursements

Beginning in fiscal year 1999-00, the reimbursement requirements listed in subsections 1 and 2 apply to payments for certain federally qualified health centers as defined in 42 United States Code, Section 1395x, subsection(aa)(1993).

1. Services furnished by center. The department shall reimburse a federally qualified health center no less than 100% of reasonable costs for services furnished by the center if that center:

A. Is receiving a grant under Section 330 of the federal Public Health Services Act; or

B. Is receiving funding under contract with the recipient of a grant under Section 330 of the federal Public Health Services Act, is identified as a subrecipient in the Section 330 grantee's approved scope of work and meets the requirements to receive a grant under Section 330 of that Act.

2. Contracted services. When a federally qualified health center otherwise meeting the requirements of subsection 1 contracts with a managed care

plan for the provision of Medicaid services, the department shall reimburse that center the difference between the payment received by the center from the managed care plan and 100% of the reasonable cost incurred in providing the services. Any such managed care contract must provide payments for the services of a center that are not less than the level and amount of payment that the managed care plan would make for services provided by an entity not defined as a federally qualified health center.

PART U

Sec. U-1. 22 MRSA c. 263, sub-c. III is enacted to read:

SUBCHAPTER III

TOBACCO MANUFACTURERS ACT

§1580-G. Findings and purpose

Cigarette smoking presents serious public health concerns to the State and to the citizens of the State. The Surgeon General has determined that smoking causes lung cancer, heart disease and other serious diseases, and that there are hundreds of thousands of tobacco-related deaths in the United States each year. These diseases most often do not appear until many years after the person in question begins smoking.

Cigarette smoking also presents serious financial concerns for the State. Under certain health-care programs, the State may have a legal obligation to provide medical assistance to eligible persons for health conditions associated with cigarette smoking, and those persons may have a legal entitlement to receive such medical assistance.

Under these programs, the State pays millions of dollars each year to provide medical assistance for these persons for health conditions associated with cigarette smoking.

It is the policy of the State that financial burdens imposed on the State by cigarette smoking be borne by tobacco product manufacturers rather than by the State to the extent that such manufacturers either determine to enter into a settlement with the State or are found culpable by the courts.

On November 23, 1998, leading United States tobacco product manufacturers entered into a settlement agreement, entitled the "Master Settlement Agreement," with the State. The Master Settlement Agreement obligates these manufacturers, in return for a release of past, present and certain future claims against them as described therein, to pay substantial sums to the State (tied in part to their volume of sales); to fund a national foundation devoted to the interest of public health; and to make substantial changes in their

advertising and marketing practices and corporate culture, with the intention of reducing underage smoking.

It would be contrary to the policy of the State if tobacco product manufacturers who determine not to enter into such a settlement could use a resulting cost advantage to derive large, short-term profits in the years before liability may arise without ensuring that the State will have an eventual source of recovery from them if they are proven to have acted culpably. It is thus in the interest of the State to require that such manufacturers establish a reserve fund to guarantee a source of compensation and to prevent such manufacturers from deriving large, short-term profits and then becoming judgment-proof before liability may arise.

§1580-H. Definitions

1. "Adjusted for inflation" means increased in accordance with the formula for inflation adjustment set forth in Exhibit C to the Master Settlement Agreement.

2. "Affiliate" means a person who directly or indirectly owns or controls, is owned or controlled by, or is under common ownership or control with, another person. Solely for purposes of this definition, the terms "owns," "is owned" and "ownership" mean ownership of an equity interest, or the equivalent thereof, of ten percent or more, and the term "person" means an individual, partnership, committee, association, corporation or any other organization or group of persons.

3. "Allocable share" means allocable share as that term is defined in the Master Settlement Agreement.

4. "Cigarette" means any product that contains nicotine, is intended to be burned or heated under ordinary conditions of use, and consists of or contains

A. any roll of tobacco wrapped in paper or in any substance not containing tobacco; or

B. tobacco, in any form, that is functional in the product, which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette; or

C. any roll of tobacco wrapped in any substance containing tobacco which, because of its appearance, the type of tobacco used in the filler, or its packaging and labeling, is likely to be offered to, or purchased by, consumers as a cigarette described in paragraph A of this definition. The term "cigarette" includes "roll-your-own" (i.e. any tobacco which, because of its appearance, type, packaging, or labeling is suitable for use

and likely to be offered to, or purchased by, consumers as tobacco for making cigarettes). For purposes of this definition of "cigarette," 0.09 ounces of "roll-your-own" tobacco shall constitute one individual "cigarette."

5. "Master Settlement Agreement" means the settlement agreement (and related documents) entered into on November 23, 1998 by the State and the leading United States tobacco product manufacturers, docketed by the Superior Court on December 9, 1998, in State of Maine v. Philip Morris, et al., Kennebec County Superior Court, Docket No. CV-97-134.

6. "Qualified escrow fund" means an escrow arrangement with a federally or State chartered financial institution having no affiliation with any tobacco product manufacturer and having assets of at least \$1,000,000,000 where such arrangement requires that such financial institution hold the escrowed funds' principal for the benefit of releasing parties and prohibits the tobacco product manufacturer placing the funds into escrow from using, accessing or directing the use of the funds' principal except as consistent with section 1580-I, subsection 2, paragraph A of this Act.

7. "Released claims" means Released Claims as that term is defined in the Master Settlement Agreement.

8. "Releasing parties" means releasing parties as that term is defined in the Master Settlement Agreement.

9. "Tobacco Product Manufacturer" means an entity that after the date of enactment of this Act directly (and not exclusively through any affiliate):

A. manufactures cigarettes anywhere that such manufacturer intends to be sold in the United States, including cigarettes intended to be sold in the United States through an importer (except where such importer is an original participating manufacturer (as that term is defined in the Master Settlement Agreement) that will be responsible for the payments under the Master Settlement Agreement with respect to such cigarettes as a result of the provisions of subsection II(mm) of the Master Settlement Agreement and that pays the taxes specified in subsection II(z) of the Master Settlement Agreement, and provided that the manufacturer of such cigarettes does not market or advertise such cigarettes in the United States);

B. is the first purchaser anywhere for the resale in the United States of cigarettes manufactured anywhere that the manufacturer does not intend to be sold in the United States; or

C. becomes a successor of an entity described in paragraph A or B.

The term "tobacco product manufacturer" shall not include an affiliate of a tobacco product manufacturer unless such affiliate itself falls within any of paragraphs A to C above.

10. "Units sold" means the number of individual cigarettes sold in the State by the applicable tobacco product manufacturer (whether directly or through a distributor, retailer or similar intermediary of intermediaries) during the year in question, as measured by excise taxes collected by the State on packs bearing the excise tax stamp of the State or "roll-your-own" tobacco containers. The Department of Administrative and Financial Services, Bureau of Revenue Services, shall promulgate such rules as are necessary to obtain information from any tobacco product retailer, distributor or manufacturer, to ascertain the amount of state excise tax paid on tobacco products of each tobacco product manufacturer for each year. Rules established pursuant to this section are routine technical rules, as provided in Title 5, Chapter 375, subchapter II-A. Notwithstanding any other provision of law, the Bureau of Revenue Services may provide information obtained pursuant to this section as is necessary for a tobacco product manufacturer to compile its escrow payment hereunder. In addition, the Department of the Attorney General shall have the authority to subpoena the records of any tobacco product retailer, distributor, or manufacturer, to enforce this Act.

§1580-I. Requirements

Any tobacco product manufacturer selling cigarettes to consumers within the State (whether directly or through a distributor, retailer or similar intermediary or intermediaries) after the date of enactment of this Act shall do one of the following:

1. Become a participating manufacturer (as that term is defined in section II(jj) of the Master Settlement Agreement) and generally perform its financial obligations under the Master Settlement Agreement; or

2. place into a qualified escrow fund by April 15 of the year following the year in question the following amounts (as such amounts are adjusted for inflation) --

1999: \$.0094241 per unit sold after the date of enactment of this Act.

2000: \$.0104712 per unit sold.

For each of 2001 and 2002: \$.0136125 per unit sold.

For each of 2003 through 2006: \$.0167539 per unit sold.

For each of 2007 and each year thereafter: \$.0188482 per unit sold.

A. A tobacco product manufacturer that places funds into escrow pursuant to this subsection shall receive the interest or other appreciation on such funds as earned. Such funds themselves shall be released from escrow only under the following circumstances --

(1) to pay a judgment or settlement on any released claim brought against such tobacco product manufacturer by the State or any releasing party located or residing in the State. Funds shall be released from escrow under this subparagraph

(a) in the order in which they were placed into escrow and

(b) only to the extent and at the time necessary to make payments required under such judgment or settlement;

(2) to the extent that a tobacco product manufacturer establishes that the amount it was required to place into escrow in a particular year was greater than the State's allocable share of the total payments that such manufacturer would have been required to make in that year under the Master Settlement Agreement (as determined pursuant to section IX(i)(2) of the Master Settlement Agreement, and before any of the adjustments or offsets described in section IX(i)(3) of that Agreement other than the Inflation Adjustment) had it been a participating manufacturer, the excess shall be released from escrow and revert back to such tobacco product manufacturer; or

(3) to the extent not released from escrow under subparagraph (1) or (2), funds shall be released from escrow and revert back to such tobacco product manufacturer twenty-five years after the date on which they were placed into escrow.

B. Each tobacco product manufacturer that elects to place funds into escrow pursuant to this subsection shall annually certify to the Attorney General that it is in compliance with this subsection. The Attorney General may bring a civil action on behalf of the State against any tobacco product manufacturer that fails to place into escrow the funds required under this section. Any tobacco product manufacturer that fails in any

year to place into escrow the funds required under this section shall --

(1) be required within 15 days to place such funds into escrow as shall bring it into compliance with this section. The court, upon a finding of a violation of this subsection, may impose a civil penalty in an amount not to exceed 5 percent of the amount improperly withheld from escrow per day of the violation and in a total amount not to exceed 100 percent of the original amount improperly withheld from escrow;

(2) in the case of a knowing violation, be required within 15 days to place such funds into escrow as shall bring it into compliance with this section. The court, upon a finding of a knowing violation of this subsection, may impose a civil penalty in an amount not to exceed 15 percent of the amount improperly withheld from escrow per day of the violation and in a total amount not to exceed 300 percent of the original amount improperly withheld from escrow;

(3) in the case of a second knowing violation, be prohibited from selling cigarettes to consumers within the State (whether directly or through a distributor, retailer or similar intermediary) for a period not to exceed 2 years.

Each failure to make an annual deposit required under this section shall constitute a separate violation. In addition to the amounts set forth above, the State's costs and attorney's fees shall be paid by the violator.

Sec. U-2. Legislative intent. The numbering and statutory unit designations of the Model Statute contained in the Master Settlement Agreement entered into by leading United States tobacco product manufacturers and the State on November 23, 1998 have been changed in this Part to conform to Maine statutory conventions. These changes are technical in nature and it is the intent of the Legislature that this Part be interpreted as substantively the same as corresponding portions of the Model Statute.

Sec. U-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**ATTORNEY GENERAL,
DEPARTMENT OF THE**

Administration - Attorney General

Positions - Legislative Count	(1,000)
Personal Services	\$35,875
All Other	2,320

Provides funds from the Fund for a Healthy Maine for one Research Assistant position and related expenses to enforce escrow payments required by nonparticipating manufacturers.

**DEPARTMENT OF THE ATTORNEY GENERAL
TOTAL**

\$38,195

PART V

Sec. V-1. 22 MRSA c. 260-A is enacted to read:

CHAPTER 260-A

SETTLEMENT FUNDS

§1511. Fund for a Healthy Maine established

1. Fund established. The Fund for a Healthy Maine, referred to in this chapter as the "fund," is established as an Other Special Revenue fund for the purposes specified in this chapter.

2. Sources of fund. The State Controller shall credit to the fund:

A. All money received by the State in settlement of or in relation to the lawsuit State of Maine v. Philip Morris, et al., Kennebec County Superior Court, Docket No. CV-97-134;

B. Money from any other source, whether public or private, designated for deposit into or credited to the fund; and

C. Interest earned or other investment income on balances in the fund.

3. Allocation; amounts. The following provisions govern the allocations of the fund.

A. For the first 5 years that the State receives money described in subsection 2, paragraph A, the Treasurer of State shall report to the Legislature the amount that represents 90% of the annual payment that is expected to be received pursuant to subsection 2, paragraph A and avail-

able for allocation for the purposes specified in subsection 6. The remainder of the annual payment is to be allocated to the Trust Fund for a Healthy Maine as established in section 1512 to earn income and provide resources to pay for the purposes specified in subsection 6 if the source of the fund described in subsection 2, paragraph A stops.

B. After the first 5 years that the State receives money pursuant to subsection 2, paragraph A, the Treasurer of State shall report to the Legislature the amount that is available for allocation for the purposes specified in subsection 6 equal to 90% of the sum of the amount expected to be available in the fund from all sources. The remaining funds must be held in a contingency reserve.

C. The amount being held as the contingency reserve may be used only for the purposes stated in subsection 6 and then only as determined under paragraph B of this subsection.

4. Restrictions. This section does not require the provision of services for the purposes specified in subsection 6. When allocations are made to direct services, services to lower income consumers must have priority over services to higher income consumers. Allocations from the fund must be used to supplement, not supplant, appropriations from the General Fund.

5. General Fund limitation. Notwithstanding any provision to the contrary in this section, any program, expansion of a program, expenditure or transfer authorized by the Legislature using the Fund for a Healthy Maine may not be transferred to the General Fund without specific legislative approval.

6. Health purposes. Allocations under subsection 3 are limited to the following health-related purposes:

A. Smoking prevention, cessation and control activities, including, but not limited to, reducing smoking among the children of the State;

B. Prenatal and young children's care including home visits and support for parents of children from birth to 6 years of age;

C. Child care for children up to 15 years of age, including after-school care;

D. Health care for children and adults, maximizing to the extent possible federal matching funds;

E. Prescription drugs for adults who are elderly or disabled, maximizing to the extent possible federal matching funds;

F. Dental and oral health care to low-income persons who lack adequate dental coverage;

G. Substance abuse prevention and treatment; and

H. Comprehensive school health programs, including school-based health centers.

7. Investment; plan; report. Notwithstanding Title 5, section 135, the Treasurer of State shall invest and reinvest the money in the contingency reserve in accordance with the standards defined in Title 18-A, section 7-302.

A. The Treasurer of State shall develop and implement a prudent and profitable investment plan for the contingency reserve under subsection 3. The plan must attempt to maximize return and minimize risk.

B. The Treasurer of State shall report at least annually on or before the 2nd Friday in December to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over health and human services matters. The report must fulfill the requirements of subsection 3 and summarize the activity in any funds or accounts directly related to this section.

§1512. Trust Fund for a Healthy Maine established

1. Fund established. Notwithstanding the provisions of Title 5, section 135-A, the Trust Fund for a Healthy Maine, referred to in this section as the "fund," is established as a nonexpendable trust fund.

2. Sources of fund. The State Controller shall credit to the fund:

A. All allocations by the Legislature to the fund in accordance with section 1511, subsection 3, paragraph A; and

B. Money from any other source, whether public or private, designated for deposit into or credited to the fund.

3. Investment of funds. The money in the fund may be invested by the Treasurer of State with the assistance of one or more fiduciaries or registered investment advisors. The duties and expenses of the fiduciaries or registered investment advisors must be handled in a manner consistent with Title 5, section 17108, subsections 2 and 3. All earnings must be credited to the fund.

4. Nonlapsing fund. Any unexpended balance in the fund may not lapse, but must be carried forward for the benefit of the fund.

Sec. V-2. Report; legislation. The Treasurer of State shall submit by December 10, 1999 a report to the Joint Standing Committee on Appropriations and Financial Affairs. The committee may report out legislation based on the Treasurer of State's report to the Second Regular Session of the 119th Legislature.

Sec. V-3. PL 1999, c. 16, Pt. B, §1, under that part designated "DEPARTMENT OF HUMAN SERVICES," that part related to "Bureau of Health" is repealed.

Sec. V-4. Working capital advance. The State Controller is authorized to advance to the Bureau of Health Other Special Revenue Fund Account in the Department of Human Services \$3,500,000 from the General Fund unappropriated surplus on July 1, 1999 to be allotted by financial order upon the recommendation of the State Budget Officer and approval of the Governor for the purpose of continuing the tobacco prevention and control initiative, which must be returned to the General Fund from the Fund for a Healthy Maine no later than June 30, 2000.

PART W

Sec. W-1. 25 MRSA §1541, sub-§6, as enacted by PL 1987, c. 421, is amended to read:

6. Establishment of fees. The State Bureau of Identification may charge a fee to nongovernmental organizations and governmental organizations that are engaged in licensing for services provided pursuant to this chapter. A governmental organization that is engaged in licensing may charge an applicant for the cost of the State Bureau of Identification services. The commissioner shall establish a schedule of fees which shall cover that covers the cost of providing these services, 100% of which shall be credited to the General Fund. Revenues generated from this fee must be credited to the General Fund and the Highway Fund in an amount consistent with currently budgeted allotments and allocations.

PART X

Sec. X-1. 36 MRSA §1811, first ¶, as amended by PL 1993, c. 701, §6 and affected by §10, is further amended to read:

A tax is imposed on the value of all tangible personal property and taxable services sold at retail in this State. The rate of tax is 7% on the value of liquor sold in licensed establishments as defined in Title 28-A, section 2, subsection 15, in accordance with Title 28-A, chapter 43; 7% on the value of rental of living quarters in any hotel, rooming house, tourist or trailer camp; 10% on the value of rental for a period of less than one year of an automobile; 7% on the value of

prepared food sold in establishments that are licensed for on-premises consumption of liquor pursuant to Title 28-A, chapter 43; and ~~6%~~ 5% on the value of all other tangible personal property and taxable services. Value is measured by the sale price, except as otherwise provided.

Sec. X-2. 36 MRSA §1811, 3rd, 4th and 5th ¶¶, as enacted by PL 1993, c. 410, Pt. KKKK, §1, are repealed.

Sec. X-3. 36 MRSA §1811, last ¶, as amended by PL 1995, c. 281, §19, and affected by §42, is further amended to read:

Rental or lease of an automobile for one year or more must be taxed at the time of the lease or rental transaction at ~~6%~~ 5% of the following: the total monthly lease payment multiplied by the number of payments in the lease or rental, the amount of equity involved in any trade-in and the value of any cash down payment. Collection and remittance of the tax is the responsibility of the person that negotiates the lease transaction with the lessee.

Sec. X-4. 36 MRSA §1812, sub-§1, ¶A-1 is enacted to read:

A-1. If the tax rate is 5%:

<u>Amount of Sale Price</u>	<u>Amount of Tax</u>
<u>\$0.01 to \$0.10, inclusive</u>	<u>0¢</u>
<u>.11 to .20, inclusive</u>	<u>1¢</u>
<u>.21 to .40, inclusive</u>	<u>2¢</u>
<u>.41 to .60, inclusive</u>	<u>3¢</u>
<u>.61 to .80, inclusive</u>	<u>4¢</u>
<u>.81 to 1.00, inclusive</u>	<u>5¢</u>

Sec. X-5. Effective dates. Those sections of this Part that amend the Maine Revised Statutes, Title 36, section 1811, first and last paragraphs, take effect July 1, 2000. That section of this Part that repeals Title 36, section 1811, 3rd, 4th and 5th paragraphs takes effect retroactively to May 15, 1999. In the event that any revenue has been transferred as of the effective date of this Act into the Maine Rainy Day Fund pursuant to Title 36, section 1811, 3rd and 4th paragraphs, that revenue must be transferred on or before December 31, 1999 back into the General Fund and the Local Government Fund as if the transfers to the Maine Rainy Day Fund had never occurred.

PART Y

Sec. Y-1. Legislative intent. It is the intent of the Legislature to increase the number of adoptions

and to reduce the waiting period for children in the State's custody. The Department of Human Services is directed to hire no fewer than 10 new adoption caseworkers from federal funds received due to the federal Adoption and Safe Families Act of 1997 - Adoption Incentive Program. The positions established through this program are contingent on meeting the program eligibility requirement for these funds.

The Department of Human Services shall provide a report by November 30th of each year to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over human resources matters clearly informing the committees on the number of adoptions completed in the most recently completed fiscal year and the adoption services provided. The report must also include but is not limited to all relevant information regarding the status of adoptions of children in state custody. Attached to the report must be the Annual Progress and Services Report, APSR, or the Child and Family Services Plan, CFSP, on form SF-269 or successor reports and forms, filed with the federal Division of Formula, Entitlements and Block Grants, Administration for Children and Families in Washington, D.C. or their successor reports.

Sec. Y-2. Allocation. The following funds are allocated from the Federal Expenditures Fund for fiscal years ending June 30, 2000 and June 30, 2001 to carry out the purposes of this Part.

	1999-00	2000-01
HUMAN SERVICES, DEPARTMENT OF		
Bureau of Child and Family Services - Regional		
Positions - Legislative Count	(15,000)	(15,000)
Personal Services	\$524,655	\$546,167

Provides for the allocation of funds to establish 15 Human Services Adoption Caseworker Positions to expand the capacity of the Department of Human Services to complete more adoptions and to reduce the time a child waits to be placed with an adoptive family.

PART Z

Sec. Z-1. 5 MRSA §1513, sub-§§1-M, 1-N and 1-O are enacted to read:

1-M. Transfer from Maine Rainy Day Fund; disaster assistance. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$300,000 in fiscal year 1999-00 may be transferred from the available balance in the Maine Rainy Day Fund to the Administration - Maine Emergency Management Agency program in the Department of Defense, Veterans and Emergency Management to be made available by financial order upon the recommendation of the State Budget Officer and approval of the Governor to be used as the State's matching share for disaster assistance associated with the storms, heavy rains and coastal flooding that occurred from October 8, 1998 to October 11, 1998 in York County and Cumberland County.

1-N. Transfer from Maine Rainy Day Fund; Department of Conservation, Bureau of Parks and Lands. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$5,260,000 in fiscal year 1999-00 may be transferred from the available balance in the Maine Rainy Day Fund to the Public Reserved Lands Acquisition Fund within the Bureau of Parks and Lands upon the recommendation of the State Budget Officer and approval of the Governor.

1-O. Transfer from Maine Rainy Day Fund; Department of Conservation, Bureau of Parks and Lands. Notwithstanding subsection 2 and section 1585, an amount not to exceed \$1,600,000 in fiscal year 1999-00 may be transferred from the available balance in the Maine Rainy Day Fund to a state parks acquisition fund within the Bureau of Parks and Lands upon the recommendation of the State Budget Officer and approval of the Governor.

PART AA

Sec. AA-1. Legislative intent; Maine Drug Enforcement Agency. It is the intent of the Legislature to reduce the General Fund subsidy appropriated to the Maine Drug Enforcement Agency for operational costs in fiscal year 2000-01.

Sec. AA-2. Operational cost savings plan. The Director of the Maine Drug Enforcement Agency shall develop a plan to reduce the agency's reliance on the General Fund. The plan must include, but is not limited to, a review of alternative funding mechanisms for the agency. The Director of the Maine Drug Enforcement Agency shall present the plan and implementing legislation to the Joint Standing Committee on Criminal Justice and the Joint Standing Committee on Appropriations and Financial Affairs by January 14, 2000.

PART BB

Sec. BB-1. 5 MRSA §12004-G, sub-§20-A, as enacted by PL 1995, c. 406, §2, is amended to read:

20-A.	Atlantic	\$25/Day	12 MRSA
Inland	Salmon-	Plus	§9901-
Fisheries and	Authority	Expenses	§9902-A
Wildlife	<u>Board</u>		

Sec. BB-2. 12 MRSA §6001, sub-§2, as enacted by PL 1977, c. 661, §5, is amended to read:

2. Atlantic salmon. "Atlantic salmon" means the anadromous ~~finfish, commonly called Atlantic sea run salmon~~ fish species Salmo salar that customarily migrates from inland waters to the ocean as part of its life cycle.

Sec. BB-3. 12 MRSA §6071, sub-§1, as amended by PL 1997, c. 153, §1, is further amended to read:

1. Live importing for introduction into coastal waters. Except for Atlantic salmon imported by the Atlantic Salmon ~~Authority~~ Commission under Part 12, it is unlawful to import for introduction, possess for purposes of introduction or introduce into coastal waters a live marine organism without a permit issued by the commissioner pursuant to subsection 2.

Sec. BB-4. 12 MRSA §7001, sub-§1-E is enacted to read:

1-E. Atlantic salmon. "Atlantic salmon" means the anadromous fish species Salmo salar that customarily migrates from inland waters to the ocean as part of its life cycle. This definition also applies to chapter 811.

Sec. BB-5. 12 MRSA §7001, sub-§20, as enacted by PL 1979, c. 420, §1, is amended to read:

20. Landlocked salmon. "Landlocked salmon" means ~~the same as salmon~~ the subspecies Salmo salar Sebago that does not customarily migrate from inland waters to the ocean as part of its life cycle. The word "salmon" standing alone without other identification means "landlocked salmon."

Sec. BB-6. 12 MRSA §7675, as amended by PL 1995, c. 406, §11, is repealed.

Sec. BB-7. 12 MRSA Pt. 12, as amended, is further amended by repealing the Part headnote and enacting in its place the following:

PART 12**ATLANTIC SALMON COMMISSION**

Sec. BB-8. 12 MRSA §9901, sub-§1, as enacted by PL 1995, c. 406, §12, is amended to read:

1. Commission established; purposes. The Atlantic Salmon ~~Authority Commission~~, referred to in this Part as the "authority," "commission," is established to ~~manage the Atlantic salmon fishery protect, preserve, enhance, restore and manage the Atlantic salmon and its habitat; to secure a sustainable recreational fishery in the State; and to conduct and coordinate all projects involving research, planning, management, restoration or propagation of the Atlantic salmon.~~

Sec. BB-9. 12 MRSA §9901, sub-§2, as repealed and replaced by PL 1995, c. 535, §1, is repealed.

Sec. BB-10. 12 MRSA §9901, sub-§§3, 4, 5 and 6, as enacted by PL 1995, c. 406, §12, are repealed.

Sec. BB-11. 12 MRSA §9902, as amended by PL 1995, c. 667, Pt. A, §36, is amended to read:

§9902. Powers

~~The authority has the sole authority and responsibility to manage the Atlantic salmon fishery in the State, including the sole authority to introduce Atlantic salmon into Maine inland waters, other than commercial aquaculture facilities and associated activities. This sole authority does not take effect for the inland waters of the Sheepscot, Narraguagus, Pleasant, Machias, East Machias and Dennys rivers until July 1, 1997. The authority has the sole authority to limit or prohibit the taking of Atlantic salmon, issue licenses for the taking of Atlantic salmon and adopt rules establishing the time, place and manner of Atlantic salmon fishing in all waters of the State. In addition to these powers and duties, the authority may:~~

The commission has the responsibility of working with other agencies in the executive branch of State Government and with the Legislature, federal and international agencies and the private sector in carrying out its mission. The commission has the sole authority to introduce Atlantic salmon into the inland waters, other than commercial aquaculture facilities. The commission has the sole authority to limit or prohibit the taking of Atlantic salmon, may issue licenses for the taking of Atlantic salmon and may adopt rules establishing the time, place and manner of Atlantic salmon fishing in all waters of the State. The commission may also:

1. Programs. Conduct research, publish and disseminate information and plan, report and implement programs necessary for the purposes of managing Atlantic salmon fisheries and its habitat;

2. Contracts and agreements. Subject to the applicable provisions of Title 5, sections 1811 to 1824 and other requirements of state law, enter into any contracts, agreements or other arrangements with public agencies and with private parties that the authority commission finds necessary to carry out its purposes;

3. Funding. Subject to other applicable requirements of state law, receive and expend funds from any source, public or private, that the authority commission finds necessary to carry out its purposes. Any funds received must be placed in a nonlapsing, separate account established by the Treasurer of State, to be expended by the authority commission for the purposes stated in this section;

4. Rules. Adopt rules necessary to manage the Atlantic salmon fishery and to promote the conservation and propagation of the Atlantic salmon. Rules adopted by the authority commission must be enforced by the Department of Marine Resources, the Department of Inland Fisheries and Wildlife and other public officials authorized by law to enforce marine resource laws or inland fisheries and wildlife laws. The Department of Marine Resources and the Department of Inland Fisheries and Wildlife retain exclusive jurisdiction over rules pertaining to species other than Atlantic salmon that are designed to promote the conservation and propagation of Atlantic salmon. The departments shall consult with the Atlantic Salmon Authority Commission in adopting such rules;

5. Property. Subject to other applicable requirements of state law, acquire, install, construct, operate, manage, sell and convey interests in real and personal property, including, without limitation, lands, dams, buildings, facilities, structures, flowage rights, mill privileges, easements and rights-of-way, as the authority commission finds necessary to carry out its purposes, provided that prior rights of municipalities are not affected by the requirements; and

7. Staff. Subject to appropriation or allocation and in accordance with the Civil Service Law, hire staff to carry out the work of the commission. Hiring and management of the staff is the responsibility of the executive director.

Notwithstanding this section, the Department of Marine Resources has the sole responsibility to regulate Atlantic salmon that are raised by means of aquaculture.

Sec. BB-12. 12 MRSA §§9902-A, 9902-B, 9902-C and 9902-D are enacted to read:

§9902-A. Members; appointment; composition; term; compensation

The commission is governed by the Atlantic Salmon Board, as established in Title 5, section 12004-G, subsection 20-A and referred to in this chapter as the "board." The board consists of 3 members: the Commissioner of Marine Resources, the Commissioner of Inland Fisheries and Wildlife and an at-large public member who must be well informed on the subject of Atlantic salmon and its conservation. The Governor shall appoint the at-large public member, subject to review by the joint standing committee of the Legislature having jurisdiction over fisheries and wildlife matters and to confirmation by the Senate. The public member is appointed for a 3-year term and is entitled to compensation as provided in Title 5, chapter 379. An appointed member may not serve for more than 2 consecutive 3-year terms. The appointed member serves until a successor is appointed. A vacancy must be filled in the same manner as for an original member for the unexpired portion of the term.

§9902-B. Offices; meetings

The commission shall have its principal office in the Augusta area but meetings may be held at any time or place within the State. The commission shall select one member as chair. The chair or a majority of the commission may call meetings. A majority of the commission constitutes a quorum to transact business. The commission shall meet at least quarterly to receive reports from the executive director, to consider and act upon recommendations from the executive director and to conduct other business.

§9902-C. Executive director; appointment; term; duties

1. Appointment. The board shall appoint an executive director who must be selected on the basis of administrative ability and general knowledge of fisheries management. The executive director shall serve at the pleasure of the board and may not hold any other office. The executive director shall devote full time to the duties of this position.

2. Powers and duties. The executive director shall manage the administrative and financial matters of the commission in accordance with policies established by the board. The executive director shall execute the directives of the commission and has the following powers and duties:

A. To employ personnel and staff in accordance with state procedures;

B. To develop and implement programs authorized by the board;

C. To accept grants, donations of monetary value or land necessary to achieve the goals of the commission;

D. With the advice and consent of the board, to adopt, repeal and amend rules, including emergency rules, necessary for proper administration, implementation, enforcement and interpretation of the commission's authority;

E. To act as a legislative liaison for the commission;

F. To enter into cooperative agreements with the Department of Marine Resources and the Department of Inland Fisheries and Wildlife in resource policy matters and in field biology activities;

G. To enter into contractual agreements with other state agencies and private business to achieve the goals of the commission;

H. To work with other state, federal, international and private entities to ensure completion of the commission's goals; and

I. To oversee fish culture operations for Atlantic salmon that are not raised by means of aquaculture.

§9902-D. Atlantic salmon advisory panels; appointment; composition

The executive director, with the approval of the board, shall designate panels of advisors to meet periodically to assist in the development of plans and programs for the protection, preservation, enhancement, restoration and management of Atlantic salmon for each of the river basin complexes that represents the historic range of Atlantic salmon in the State.

The executive director must choose advisors from nongovernmental organizations with a demonstrated interest in the Atlantic salmon resource located in each of the river basin complexes described in this section: in the St. Croix River Drainage, at least one panel member must be from the Passamaquoddy Tribe; and in the Penobscot River drainage at least one panel member must be from the Penobscot Indian Nation. The executive director shall seek at least one panel member from the province of New Brunswick, Canada.

These river basin complexes represent the historic range of Atlantic salmon in the State and include the St. John River Drainage; the St. Croix River Drainage, the drainages of the Dennys, East Machias, Machias, Narraguagus and Pleasant rivers and other

ivers that enter the Atlantic Ocean east of Schoodic Point in the Town of Winter Harbor; the drainages of the Union, Penobscot and Ducktrap rivers and other rivers that enter the Atlantic Ocean west of Schoodic Point and east of Marshall Point in the Town of St. George; the drainages of the Sheepscot, Kennebec and Androscoggin rivers and other rivers that enter the Atlantic Ocean west of Marshall Point and east of Small Point in the Town of Phippsburg; and the Saco River and other rivers that enter the Atlantic Ocean west of Small Point.

Sec. BB-13. 12 MRSA §9904, sub-§§1, 2, 6, 7, 8, 9 and 10, as enacted by PL 1995, c. 406, §12, are amended to read:

1. License required. Except as otherwise provided in this section, a person may not fish for, take, possess, ship or transport Atlantic salmon taken from any state waters without a current Atlantic salmon license issued by the authority commission.

2. License fees. The authority commission shall issue Atlantic salmon licenses to fish for Atlantic salmon in inland and coastal waters of the State in accordance with the following provisions.

A. The fee for an Atlantic salmon license is \$15 for a resident.

B. The fee for an Atlantic salmon license for any nonresident is as follows:

(1) For a season license for a nonresident 16 years of age or older, \$30;

(2) For a 3-day license for a nonresident 16 years of age or older, \$15. This license may not be exchanged for a season license; and

(3) For a nonresident under 16 years of age, \$5.

C. Members of Maine's Indian tribes and Maine residents under 16 years of age are exempt from any fee.

6. Atlantic salmon; possession, buying or selling. A person may not possess, buy or sell Atlantic salmon unless each fish is clearly identified by one of the following methods:

A. Tagged with an Atlantic salmon tag provided by the authority commission if caught in Maine waters;

B. Tagged with a New Brunswick, Quebec, Nova Scotia, Prince Edward Island or Newfoundland-Labrador Atlantic salmon tag if imported from those Canadian provinces;

C. Identified by a sales receipt less than 24 hours old;

D. For wholesale and retail seafood dealers, identified by a bill of sale indicating numbers of fish purchased, dates of purchase and point of origin of all fish purchased; or

E. Tagged as provided in this Part.

7. Exceptions. This section does not apply to a person licensed to engage in the aquaculture of Atlantic salmon, ~~except that, that person shall report to the authority the number, weight and locations sold to, of all Atlantic salmon within the authority's jurisdiction. The authority shall maintain those records as confidential documents.~~

8. Agent's fee. Any clerk or agent appointed by the authority commission to issue an Atlantic salmon license shall retain ~~\$1~~ \$2 for each license issued.

9. Use of license fees. All license fees must be used by the authority commission for purposes of conservation and management of the Atlantic salmon in this State.

10. Duplicates. The authority commission or its agents shall issue a duplicate license to any person whose license was accidentally lost or destroyed. The fee for a replacement license is \$1, all of which is retained by the issuing agent. Atlantic salmon tags bearing the license number of a lost or destroyed license are invalid.

Sec. BB-14. 12 MRSA §9905, sub-§5, as enacted by PL 1995, c. 406, §12, is amended to read:

5. Recreational fishing provision. A person engaged in recreational fishing who takes an Atlantic salmon shall affix to each fish an identification tag designating the date, location and name of the person who caught the fish. The person shall notify the authority commission within 24 hours of that person's first landfall providing all information the authority commission may require.

Sec. BB-15. 12 MRSA §9906, first ¶, as enacted by PL 1995, c. 406, §12, is amended to read:

The authority commission may grant an exemption from the provisions of section 6071, subsection 4, for Atlantic salmon, live or eggs, imported for the purpose of enhancing the State's Atlantic salmon fisheries.

Sec. BB-16. 12 MRSA §9907, first ¶, as enacted by PL 1995, c. 406, §12, is amended to read:

Unless otherwise provided by rule adopted by the authority commission, a person may not:

Sec. BB-17. 38 MRSA §480-B, sub-§10, as repealed and replaced by PL 1995, c. 625, Pt. A, §51, is amended to read:

10. Significant wildlife habitat. "Significant wildlife habitat" means the following areas to the extent that they have been mapped by the Department of Inland Fisheries and Wildlife or are within any other protected natural resource: habitat, as defined by the Department of Inland Fisheries and Wildlife, for species appearing on the official state or federal lists of endangered or threatened animal species; high and moderate value deer wintering areas and travel corridors as defined by the Department of Inland Fisheries and Wildlife; high and moderate value waterfowl and wading bird habitats, including nesting and feeding areas as defined by the Department of Inland Fisheries and Wildlife; critical spawning and nursery areas for Atlantic ~~sea-run~~ salmon as defined by the Atlantic Salmon ~~Authority~~ Commission; shorebird nesting, feeding and staging areas and seabird nesting islands as defined by the Department of Inland Fisheries and Wildlife; and significant vernal pools as defined and identified by the Department of Inland Fisheries and Wildlife. For purposes of this subsection, "identified" means identified in a specific location by the Department of Inland Fisheries and Wildlife.

Sec. BB-18. 38 MRSA §480-U, sub-§2, ¶A, as amended by PL 1995, c. 406, §14, is further amended to read:

A. The application must contain written certification by a knowledgeable professional that the cranberry cultivation project will not be located in a wetland that has one or more of the following characteristics:

- (1) Is a coastal wetland or is located within 250 feet of a coastal wetland;
- (2) Is a great pond;
- (3) Contains endangered or threatened plant species listed under Title 5, section 3315;
- (4) Contains any type of palustrine natural community of which there are 20 or fewer occurrences in the State;
- (5) Contains any of the following resources:
 - (a) Habitat for species appearing on the official state or federal lists of endangered or threatened species when there is evidence that the species is present;

(b) As defined by rule by the Commissioner of Inland Fisheries and Wildlife, whether or not the resource has been mapped, high-value and moderate-value deer wintering areas; deer travel corridors; high-value and moderate-value waterfowl or wading bird habitats, including nesting and feeding areas; shorebird nesting, feeding or staging areas; or seabird nesting islands; or

(c) Critical spawning and nesting areas for Atlantic ~~sea-run~~ salmon as defined by rule by the Atlantic Salmon ~~Authority~~ Commission whether or not mapped;

(6) Is located within 250 feet of the normal high water line and within the same watershed of any lake or pond classified as GPA under section 465-A;

(7) Is a bog dominated by ericaceous shrubs, sedges and sphagnum moss and usually having a saturated water regime, except that applications proposing reclamation of previously mined peat bogs may be considered;

(8) Is land adjacent to the main stem of a major river, as classified in section 467, that is inundated with floodwater during a 100-year flood event and that under normal circumstances supports a prevalence of wetland vegetation, typically adapted for life in saturated soils; or

(9) Contains at least 20,000 square feet of aquatic vegetation, emergent marsh vegetation or open water, except for ~~man-made~~ artificial ponds or impoundments, during most of the growing season in most years; except that cranberry cultivation is allowed more than 250 feet from the edge of the area of aquatic vegetation, emergent marsh vegetation or open water.

A project to cultivate indigenous cranberries may be located in wetlands described in subparagraphs (6) and (7) only if the project location is a natural cranberry bog and provisions of paragraph D are met. For purposes of this paragraph, "natural cranberry bog" means an area with indigenous large cranberries, *Vaccinium macrocarpon* Ait., comprising more than 50% of the cover in the herbaceous layer; and "cover in the herbaceous layer" means all herbaceous or woody vegetation less than 10 inches in height.

Sec. BB-19. 38 MRSA §636, sub-§7, ¶B, as amended by PL 1995, c. 406, §15, is further amended to read:

B. Whether the project will result in significant benefit or harm to fish and wildlife resources. In making its determination, the department shall consider other existing uses of the watershed and fisheries management plans adopted by the Department of Inland Fisheries and Wildlife, the Department of Marine Resources and the Atlantic Salmon Authority Commission;

Sec. BB-20. Transition provisions.

1. The Atlantic Salmon Commission is the successor in every way to the Atlantic Salmon Authority.

2. On the effective date of this Part, all position counts, appropriations and allocations to the former Atlantic Salmon Authority are transferred to the Atlantic Salmon Commission and become position counts, appropriations and allocations of the Atlantic Salmon Commission. On and after the effective date of this Part, the Department of Inland Fisheries and Wildlife shall continue to provide the Atlantic Salmon Commission with the same level of administrative support that the department provided to the former Atlantic Salmon Authority.

3. Not later than December 31, 1999, the chair of the Atlantic Salmon Board shall submit a report to the Joint Standing Committee on Inland Fisheries and Wildlife. The report must include the commission's plan for managing the Atlantic salmon fishery in the State and any statutory recommendations pertaining to staffing or budget matters that the board determines necessary to implement that plan. The Joint Standing Committee on Inland Fisheries and Wildlife may report out legislation to the Second Regular Session of the 119th Legislature to implement the statutory recommendations of the board.

4. On December 31, 1999, administrative responsibility for the Atlantic salmon conservation plan is transferred from the State Planning Office to the Atlantic Salmon Commission. At the time of the change, all position counts, appropriations and allocations for the Atlantic salmon conservation plan within the State Planning Office are transferred to the Atlantic Salmon Commission.

Sec. BB-21. Maine Revised Statutes amended; revision clause. Wherever in the Maine Revised Statutes the words "Atlantic Salmon Authority" appear or reference is made to that entity or those words, they are amended to read and mean "Atlantic Salmon Commission," or "commission" as appropriate, and the Revisor of Statutes shall implement this revision when updating, publishing or republishing the statutes.

Sec. BB-22. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
ATLANTIC SALMON COMMISSION		
Atlantic Salmon Commission		
Positions - Legislative Count	(1,000)	(2,000)
Personal Services	\$38,206	\$78,699
All Other	28,500	41,500
TOTAL	66,706	120,199

Provides for the appropriation of funds for one Biologist I position for fiscal year 1999-00 and 2 Biologist I positions for fiscal year 2000-01 to work on the seven major rivers with Atlantic salmon populations not covered by the Atlantic salmon conservation plan, including the coordination of volunteer efforts on these rivers.

Atlantic Salmon Commission		
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	81,212	84,992
All Other	31,500	26,000
TOTAL	112,712	110,992

Provides for the appropriation of funds for one Executive Director position and one Clerk Typist II position to provide policy and oversight for the Atlantic Salmon Commission and restoration program on a statewide basis. Appropriation also includes funding for an office, including rent, utilities, furniture, office supplies and expenses relating to the publication, printing, and distribution of documents and reports.

Atlantic Salmon Commission		
All Other	13,500	13,500
Provides for the appropriation of funds for the annual installation and		

removal of fish counting weirs in Washington County Atlantic salmon rivers and additional liability insurance for landowners.

Atlantic Salmon Commission

All Other 78,000

Provides a one-time appropriation to allow for an addition to the proposed Inland Fisheries and Wildlife office building in Jonesboro for office space for the Atlantic Salmon Commission.

Atlantic Salmon Commission

All Other 28,750

Provides a one-time appropriation in order to obtain federal matching funds in the approximate amount of \$90,000 to make repairs to a dam on the Cathance Stream, a major tributary of the Dennys River, as part of the Atlantic salmon restoration project.

Atlantic Salmon Commission

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	67,986	68,200
All Other	144,000	144,000

TOTAL	211,986	212,200
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Provides for the appropriation of funds for one Policy Development Specialist position and related All Other funds for the implementation of the Atlantic salmon conservation plan.

ATLANTIC SALMON COMMISSION

TOTAL APPROPRIATIONS	\$511,654	\$456,891
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PART CC

Sec. CC-1. Maine Governmental Facilities Authority. Pursuant to the Maine Revised Statutes, Title 4, section 1606, subsections 1 and 2, the Maine Governmental Facilities Authority is authorized to issue securities in its own name in an amount up to

\$600,000 for the purpose of paying the cost of courthouse renovations at York District Court.

Sec. CC-2. Debt service costs; 2000-2001 biennium. It is the intent of the Legislature that the Judicial Department absorb in the 2000-2001 biennium the debt service costs for the project authorized in section 1 of this Part within its existing resources.

PART DD

Sec. DD-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - University of Maine System

All Other \$1,200,000

Provides funds for the construction costs related to the Northern Maine Health Initiative at the University of Maine at Fort Kent.

PART EE

Sec. EE-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - University of Maine System

All Other \$3,500,000

Provides funds for the construction or reconstruction of the Edmund S. Muskie School of Public Service.

PART FF

Sec. FF-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
LEGISLATURE		
Legislature		
Positions - Legislative Count	(2,000)	(2,000)
Personal Services	\$76,717	\$107,374
All Other	65,800	131,600
TOTAL	\$142,517	\$238,974
Provides funds for the salary and fringe benefits costs needed to establish one Senior Computer Programmer/Analyst position and one Legislative Analyst position effective October 1, 1999. All Other funds are provided for the partial restoration of the statutory length of the legislative session by one week for the Second Regular Session of the 119th Legislature and by 2 weeks for the First Regular Session of the 120th Legislature.		
Legislative Branchwide		
All Other	\$1,424,000	
Provides funds for costs related to the Legislature's computer migration project. To the extent possible, the migration to a client-server network must be undertaken in a manner that maintains the Legislature's current electronic access to executive branch systems.		
Interstate Cooperation - Commission		
All Other	\$5,000	\$5,000
Provides additional funding for the commission.		
LEGISLATURE TOTAL	\$1,571,517	\$243,974

SECTION

TOTAL	\$1,571,517	\$243,974
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PART GG

Sec. GG-1. 20-A MRSA §15602, sub-§13 is enacted to read:

13. Hold harmless provision in fiscal year 1999-00. The following hold harmless provision is established for fiscal year 1999-00. The state share of subsidy for fiscal year 1999-00 for operating costs, program costs, excluding the state share of bus purchases, and minimum subsidy may not be less than the greater of:

A. The state share of subsidy for fiscal year 1999-00 for operating costs, program costs, excluding the state share of bus purchases, and minimum subsidy calculated on the basis of an appropriation of \$599,920,215 to general purpose aid for local schools as enacted in the Part I budget as of March 15, 1999; or

B. The state share of subsidy for fiscal year 1998-99 for operating costs, program costs, excluding the state share of bus purchases, minimum subsidy and the 1998-99 hardship cushion actually distributed in fiscal year 1998-99 based on an appropriation of \$591,532,327 to general purpose aid for local schools.

Sec. GG-2. 20-A MRSA §15603, sub-§26-A, ¶F, as amended by PL 1995, c. 665, Pt. J, §2, is further amended to read:

F. If for any fiscal year, the total amount appropriated for the State's share of the total allocation is less than the amount specified in the certified funding level for that year, then all subsidizable costs except as noted in subparagraphs (1) and (2) are reduced by a percentage of the original cost amounts. The reduction percentage is the smallest percentage that results in a state share of the total allocation that does not exceed the amount appropriated for this purpose, except that the reduction percentage that would ordinarily be used for operating and program costs must be reduced for the purpose of computing state subsidy for transportation operating costs as defined in subsection 29. ~~The~~ Until fiscal year 2000-01, the reduction percentage ordinarily used for transportation operating costs must be reduced by the amount necessary to provide additional state subsidy equal to \$4,500,000 for this category of costs. The statewide adjustment factor under section 15654, subsection 1, paragraph B must be adjusted by an amount sufficient to provide this additional funding for program costs. Beginning in fiscal year 1999-00, the reduction percentage must be phased out over 4

years. In fiscal year 1999-00, the reduction percentage for program costs other than transportation operating costs must be 15.88%. It is the intent of the Legislature that the reduction percentage for all program costs and the insured value factor be lowered to 9.97% in fiscal year 2000-01, to 4.98% in fiscal year 2001-02 and to 0% in fiscal year 2002-03. Beginning in fiscal year 2000-01, if the appropriation and any increase in the mill rate determined by the Legislature to be needed under section 15653 are not sufficient to achieve both the targeted reduction percentage and the targeted per pupil guarantee, as defined in section 15653, then the per pupil guarantee must advance toward the targeted per pupil guarantee in the same proportion as the reduction percentage, as defined in this section, is lowered toward the targeted reduction percentage. The following subsidizable costs may not be reduced:

- (1) Principal and interest on approved school construction costs; and
- (2) Approved lease costs.

Sec. GG-3. 20-A MRSA §15607, as amended by PL 1997, c. 326, §4, is repealed and the following enacted in its place:

§15607. Actions by the Legislature

The Legislature shall annually, prior to March 15th, enact legislation to:

1. Foundation per pupil operating rate. Establish the foundation per pupil operating rate and the elementary and secondary foundation per pupil operating rates;

2. Subsidy indices. Establish an operating cost millage, a program millage limit and a debt service millage limit; and

3. Appropriation for the state share of adjustments, debt service and foundation; single account. Appropriate the necessary funds for the State's share for general purpose aid for local schools for the following components:

A. Adjustments described in section 15602, subsection 13; section 15612; and section 15613, except section 15613, subsection 13, including an appropriation for special education pupils placed directly by the State for:

- (1) Tuition and board for pupils placed directly by the State in accordance with rules adopted or amended by the commissioner; and

(2) Special educational tuition and other tuition for residents of state-operated institutions attending programs in school administrative units or private schools in accordance with rules adopted or amended by the commissioner;

B. Debt service subsidies described in section 15611. If the appropriation for debt service differs from the amount determined in accordance with section 15611, subsection 2, then the debt service millage limit specified in section 15611, subsection 1 may be adjusted up or down as necessary; and

C. Foundation subsidies described in section 15610 and section 15613, subsection 13 and in chapter 606-A.

Funds for appropriations under this section must be placed into a single account.

Sec. GG-4. 20-A MRSA §15607-A is enacted to read:

§15607-A. Actions by the department

Within the annual appropriations, the department shall follow the procedures described in this section.

1. State's obligation. If the State's continued obligation for any program provided by one of the appropriated amounts in section 15607, subsection 3 exceeds the appropriated amount, any unexpended balance from another of those appropriated amounts may be applied by the commissioner toward the obligation for that program.

2. Cash flow. For the purpose of cash flow, the commissioner may pay the full state and local share of the payment amounts due on bond issues for school construction, and the required amount to offset the local share of the bond issues may be transferred to the debt service portion of the account from operating and program subsidies. This provision does not apply in those situations in which a school administrative unit has less subsidy than the total principal and interest payment on bonds.

Sec. GG-5. 20-A MRSA §15652, sub-§4, as amended by PL 1997, c. 643, Pt. D, §3, is repealed.

Sec. GG-6. 20-A MRSA §15653, sub-§§1 and 2, as enacted by PL 1995, c. 368, Pt. Z, §1 and affected by §2, are amended to read:

1. Per pupil guarantee. The Legislature shall annually establish a per pupil guarantee. For fiscal year 1999-00, the per pupil guarantee is \$4,020. In the subsequent 3 fiscal years, it is the intent of the Legislature to achieve the per pupil guarantee targets established in this subsection.

A. For fiscal year 2000-01 the per pupil guarantee target is \$4,307.

B. For fiscal year 2001-02 the per pupil guarantee target is \$4,687.

C. For fiscal year 2002-03 the per pupil guarantee target is \$5,204.

The intent of the Legislature is to achieve a per pupil guarantee that matches projected spending in fiscal year 2002-03. Beginning in fiscal year 2000-01, if the appropriation and any increase in the mill rate determined by the Legislature to be needed under this section are not sufficient to achieve both the targeted reduction percentage in section 15603, subsection 26-A, paragraph F and the targeted per pupil guarantee, then the per pupil guarantee must advance toward the targeted per pupil guarantee in the same proportion as the reduction percentage is lowered toward the targeted reduction percentage.

2. Contribution to per pupil guarantee. The Legislature and each school administrative unit are jointly responsible for contributing to the per pupil guarantee. For each school administrative unit, the per pupil guarantee is the sum of the school administrative unit local contribution to the per pupil guarantee and the school administrative unit state contribution to the per pupil guarantee. It is the intent of the Legislature to achieve the targeted per pupil guarantee through a combination of the Legislature's additional contribution and, if needed, an increase in the mill rate used to determine the statewide local share.

Sec. GG-7. 20-A MRSA §15653, sub-§4, as enacted by PL 1995, c. 368, Pt. Z, §1 and affected by §2, is repealed and the following enacted in its place:

4. Statewide local share. For fiscal year 1999-00, the statewide local share amount of the operating costs allocation is based on the sum of the amounts determined by multiplying for each unit 6.67 mills times the unit's property fiscal capacity. In subsequent years the mill rate is 6.67 mills, except that the Legislature shall determine if an increase is needed to achieve the targeted per pupil guarantee under this section.

Sec. GG-8. 20-A MRSA §15656, as enacted by PL 1995, c. 368, Pt. Z, §1 and affected by §2, is repealed and the following enacted in its place:

§15656. Pupil counts

1. Pupil count used for operating costs. The pupil count used for operating costs in this chapter is the greater of the average of the 2 census counts for

the most recent calendar year and the average of the 4 census counts for the 2 most recent calendar years.

A. The 2 census counts in each calendar year must be for April 1st and October 1st.

B. As an exception, only the 2 census counts in the most recent calendar year may be used for:

(1) Kindergarten to grade 8 students for units that send all their kindergarten to grade 8 students as tuition students to schools elsewhere in the State;

(2) Grade 9 to grade 12 students for units that send all their grade 9 to grade 12 students as tuition students to schools elsewhere in the State; and

(3) Kindergarten to grade 12 students for units that send all their kindergarten to grade 12 students as tuition students to schools elsewhere in the State.

Sec. GG-9. 20-A MRSA §15657, sub-§2, as amended by PL 1997, c. 643, Pt. D, §5, is further amended to read:

2. Local median household income. ~~The most recent~~ local median household income is divided by the statewide average median household income. ~~That amount is divided by the normalized regional cost adjustment as defined in section 15652, subsection 4.~~ The final result is multiplied by an income weight of 0.15. The department shall use local median household income data, ~~updated annually from the Federal Decennial Census as estimated at the fiscal year 1997-98 level until final Federal Decennial Census figures are established for the year 2000.~~ The fiscal year 1997-98 estimated census figures must be adjusted so that no municipality's census figure exceeds twice the state average percentage increase from fiscal year 1996-97 to fiscal year 1997-98.

Sec. GG-10. PL 1999, c. 16, Pt. C is repealed.

Sec. GG-11. Essential programs and services; data collection for school funding. The State Board of Education's Essential Programs and Services Committee has recommended that a new approach to school funding should establish and measure the resources utilized in prototypical high-performing elementary, middle and secondary schools in Maine. This approach to identifying needed programs and services and their costs may be referred to as the "essential programs and services model" and consists of the resources needed to fund all necessary programs and services, including instructional and support staffing needs and other material needs. The determination of these resource levels must reflect,

where available, data that is representative of Maine schools. The essential programs and services model must be used to determine the amount of financial resources that must be available to each school unit and serves as the foundation for calculating both state and local contributions to public education for kindergarten through grade 12. Beginning July 1, 1999, the State Board of Education shall work with the Department of Education to determine the data that will be needed to calculate annual funding of school units in accordance with the cost-based essential programs and services model developed by the state board and described in its January, 1999 report to the 119th Legislature. The department shall implement changes in its current computer systems for data collection and data use that comply with these determinations. The state board shall provide interim reports on its work to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 14, 2000 and by January 15, 2001. A final report must be provided by July 2, 2001. Necessary data collection changes must be completed so that appropriate funding data can be reported to the department after July 1, 2003.

Sec. GG-12. Essential programs and services; data collection for school-level reporting. Beginning July 1, 1999, the State Board of Education shall work with the Department of Education to determine school-level data that is required to monitor the implementation in each school of the essential programs and services model. The department shall modify its current data collection and data use systems to collect and report this school-level data. The state board shall provide interim reports on its work to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs by January 14, 2000 and by January 15, 2001. A final report must be provided by July 2, 2001. Necessary data collection changes must be completed so that appropriate school-level data can be reported to the department after July 1, 2003.

Sec. GG-13. Research. The State Board of Education shall research local school policies and expenditures on school transportation, special education, vocational education, efficiency of school operations and school performance. The research must include pupil characteristics and school unit characteristics and how these factors relate to school unit policies and levels of expenditure. The state board, in conjunction with the Education Research Institute, shall study practices in other states regarding the amounts and types of state and local revenues used to fund public education, the use of a regional "cost of education" adjustment and how the various states calculate and use an income measure in the school funding formula. The state board shall develop recommendations on how its findings may be used to improve Maine's system of school funding. The state

board shall provide to the joint standing committee of the Legislature having jurisdiction over education and cultural affairs:

1. Transportation. A final report by July 3, 2000 on transportation, including bus purchases and transportation operating costs;

2. Special education. An interim report by July 3, 2000 and a final report by July 2, 2001 on the extent of consistency in the identification of special education needs statewide and the efficient delivery of special education services;

3. Best practices. An interim report by July 3, 2000 and a final report by July 2, 2001 on best practices relating to efficiency of school operations and high-level school performance;

4. Vocational education. A final report by July 3, 2000 on vocational education, including a preliminary analysis of program delivery, program costs and access to vocational education opportunities across the State and a plan for more in-depth research;

5. Revenue to fund public education. A final report by July 3, 2000 on practices in other states regarding the types and amounts of revenue used by local education organizations and by state governments to fund public education;

6. Use of regional "cost of education." A final report by January 3, 2000 on practices in other states regarding the use of a regional "cost of education" adjustment; and

7. School funding formula. A final report by January 3, 2000 on practices in other states regarding how to calculate and use an income measure in the school funding formula.

Sec. GG-14. Basic elementary and secondary per pupil operating rates. The basic elementary per pupil operating rate for the fiscal year 1999-00 is \$3,201 and the basic secondary per pupil operating rate for fiscal year 1999-00 is \$3,845. The foundation per pupil operating rate for the 1999-00 fiscal year is \$3,393.

Sec. GG-15. Per pupil guarantee and statewide factor. The per pupil guarantee for fiscal year 1999-00 is \$4,020. The statewide factor for fiscal year 1999-00 is 0.56410.

Sec. GG-16. Foundation allocation. The foundation allocation of state and local funds for fiscal year 1999-00 for the purposes listed in this section is as follows.

1999-00
TOTAL

Operating

Per pupil guarantee pursuant to the
Maine Revised Statutes, Title 20-A,
section 15653 \$865,501,980

A. Program Costs

Early Childhood 515,490
Special Education (Local) 140,726,794
Special Education (Tuition and
Board) 13,077,864
Vocational Education 26,031,013
Transportation Operating 61,477,789
Bus Purchases 5,000,000

B. Program Cost Total

246,828,950

Less percentage reduction pursuant
to the Maine Revised Statutes, Title
20-A, section 15603, subsection
26-A, paragraph F (38,274,270)

Adjusted Program Cost Total

208,554,680

Foundation Total - Combined

**Adjusted Operating and
Program Cost**

\$1,074,056,660

Sec. GG-17. Foundation subsidy indexes.

This section establishes mill rates as follows:
operating cost millage, 5.11 mills; program millage
limit, 1.21 mills.

**Sec. GG-18. Foundation reduction per-
centages.**

This section establishes reduction
percentages as follows: program cost reduction
percentage - 15.88%; transportation operating
reduction percentage - 14.38%.

Sec. GG-19. Foundation appropriation.

The foundation appropriation provided for General
Purpose Aid for Local Schools for the fiscal year
beginning July 1, 1999 and ending June 30, 2000 is
calculated as follows.

	1999-00	1999-00
	TOTAL	STATE

**Foundation Total -
Combined Adjusted
Operating and Program
Cost**

\$1,074,056,660 \$527,396,309

Less \$4,500,000 shifted from
operating to program costs for
transportation operating (4,500,000)

Plus \$4,500,000 shifted from
operating to program costs for
transportation operating to lower
the reduction percentage 4,500,000

Plus \$6,050,433 targeted to program
costs to lower the reduction
percentage 6,050,433

Minimum state subsidy 997,000

ADJUSTED FOUNDATION

ALLOCATION

TOTAL \$534,443,742

Sec. GG-20. Debt service appropriation.

The debt service appropriation of state funds for fiscal
year 1999-00 for the purposes listed in this section is
as follows.

1999-00

TOTAL

Debt Service Costs

Principal and Interest \$68,103,054

Approved Leases 6,200,435

Insured Value Factor 2,308,676

C. Debt Service Cost Total

76,612,165

Less Percentage Reduction of Insured
Value Factor pursuant to the Maine
Revised Statutes, Title 20-A, section
15603, subsection 26-A, paragraph F (518,067)

Adjusted Debt Service Cost Total

\$76,094,098

**Sec. GG-21. Debt service subsidy in-
dexes.**

This section establishes mill rates as follows:
operating cost millage, 5.11 mills; debt service millage
limit, 0.50 mills.

**Sec. GG-22. Debt service reduction per-
centages.**

This section establishes reduction
percentages as follows: insured value factor reduction
percentage - 22.44%.

Sec. GG-23. Debt service appropriation.

The debt service appropriation provided for General
Purpose Aid for Local Schools for the fiscal year
beginning July 1, 1999 and ending June 30, 2000 is
calculated as follows.

	1999-00	1999-00
	TOTAL	STATE
ADJUSTED DEBT SERVICE ALLOCATION TOTAL	\$76,094,098	\$56,150,600

Sec. GG-24. Adjustments and miscellaneous costs appropriation. The adjustments and miscellaneous costs appropriation of state funds for the fiscal year 1999-00 for the purposes listed in this section is as follows.

	1999-00
	TOTAL
Adjustments and Miscellaneous Costs	
Cost of Geographic Isolation Adjustments	\$250,000
Cost of Quality Incentive Adjustments	0
Audit Adjustments	0
Cost of Reimbursement for Private School Services	201,000
Special Education Tuition and Board for State Wards and Other Pupils Placed Directly by the State	8,200,000
State Agency Clients	18,100,000
Out-of-district Placement	1,929,000
Long-term Drug Treatment Center	60,976
Contract for Cost-of-education and Income Data	29,000
Fiscal year 2000 Hold Harmless Provision to Previous Enacted Budget	1,230,000
Essential Programs and Services - Data Collection and Research	100,000
Total Adjustments	\$30,099,976

Sec. GG-25. Adjustments and miscellaneous costs appropriation. The adjustments and miscellaneous costs appropriation provided for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 1999 and ending June 30, 2000 is calculated as follows.

	1999-00	1999-00
	TOTAL	STATE
ADJUSTMENTS AND MISCELLANEOUS COSTS		

TOTAL	\$30,099,976	\$30,099,976
FOUNDATION, DEBT SERVICE AND ADJUSTMENTS AND MISCELLANEOUS COSTS TOTAL	\$1,180,250,734	\$620,694,318

Sec. GG-26. Limit of State's obligation. If the State's continued obligation for any individual program contained in sections 14, 15, 16, 19, 20, 23, 24 and 25 of this Part exceeds the level of funding provided for that program, any unexpended balances occurring in other programs may be applied to avoid proration of payments for any individual program. Any unexpended balances from sections 14, 15, 16, 19, 20, 23, 24 and 25 of this Part may not lapse but must be carried forward for the same purpose.

Sec. GG-27. Appropriations. Sections 14 to 26 of this Part may not be construed to require the State to provide payments that exceed the appropriation of funds for General Purpose Aid for Local Schools for the fiscal year beginning July 1, 1999 and ending June 30, 2000.

Sec. GG-28. State subsidy for fiscal year 1999-00. Notwithstanding any other provision of law, the Commissioner of Education shall distribute these funds in such a manner that the school administrative units receive by the end of fiscal year 1999-00 the state allocation determined by the funding formula enacted by the First Regular Session of the 119th Legislature and equal to the total funds appropriated in Public Law 1999, chapter 16 and in this Part.

Sec. GG-29. Local share for fiscal year 1999-00. Notwithstanding any other provisions of law, any additional local funds raised pursuant to the Maine Revised Statutes, Title 20-A, section 15614, subsection 3 may be credited toward the local share of the foundation allocation or the local share of the debt service allocation in order to satisfy the requirements of Title 20-A, chapters 606 and 606-A.

Sec. GG-30. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
STATE BOARD OF EDUCATION		
State Board of Education		
All Other	\$100,000	\$50,000
Provides funds for administrative costs, computer programming and research services required to determine data		

collection needs and conduct research.

STATE BOARD OF EDUCATION

TOTAL	\$100,000	\$50,000
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EDUCATION, DEPARTMENT OF

General Purpose Aid for Local Schools

All Other	\$20,774,103	\$20,000,000
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Provides funds to increase the state share of school subsidy. Total funds appropriated for school subsidy for fiscal year 1999-00 by Public Law 1999, chapter 16, Part A and Part B and in this Part are distributed as follows: The state share of the adjusted foundation allocation total is \$534,443,742; the state share of the adjusted debt service allocation total is \$56,150,600; and the state share of adjustments and miscellaneous costs is \$30,099,976.

General Purpose Aid for Local Schools

All Other	(100,000)	(50,000)
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Deappropriates funds from the adjustments and miscellaneous costs category for Essential Programs and Services-Data Collection and Research in order to offset appropriations provided to the State Board of Education for those purposes.

Hardship Cushion for General Purpose Aid for Local Schools

All Other	3,783,692	
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Provides funds to be distributed to school administrative units as a one-time hardship cushion to ensure that each unit's state share of subsidy for fiscal year 1999-00 for

operating costs, program costs excluding the state share of bus purchases, and minimum subsidy is not less than each unit's state share of subsidy for fiscal year 1998-99 for those same categories plus the 1998-99 hardship cushion actually distributed in fiscal year 1998-99 based on an appropriation of \$591,532,327 to the General Purpose Aid for Local Schools program.

DEPARTMENT OF EDUCATION

TOTAL	\$24,457,795	\$19,950,000
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TOTAL APPROPRIATION SECTION TOTAL

\$24,557,795	\$20,000,000
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PART HH

Sec. HH-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00	2000-01
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ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Capital Construction/Repairs/Improvements - Administration

All Other	\$125,000
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Provides funds on a one-time basis for the restoration of a historic brick structure at Fort Knox and related site improvements; increased parking; informational kiosk and phones; handicapped accessible restrooms; outdoor amphitheater; indoor classroom; and a passive interpretive system of informational plaques.

DEPARTMENT OF ADMINISTRATIVE AND FINANCIAL SERVICES

TOTAL	125,000
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CONSERVATION, DEPARTMENT OF

**Land Use Regulation
Commission**

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	37,512	38,931
All Other	7,300	7,500

Appropriates funds for one additional Environmental Specialist II position and necessary operating costs. This position will be located in the Millinocket office to provide permitting assistance to residents of northern Penobscot County and eastern Piscataquis County.

Provides funds on a one-time basis for the purpose of studying and implementing a plan to promote St. Croix Island as a permanent tourist destination and to plan for the St. Croix 2004 celebration. The Department of Economic and Community Development's development and implementation of the plan must involve Eastern Maine Development Corporation, the Calais Regional Chamber of Commerce and the St. Croix 2004 Celebration Committee.

**DEPARTMENT OF
CONSERVATION
TOTAL**

44,812	46,431
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**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

Business Development

All Other	1,500,000
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Provides funds on a one-time basis to continue the business attraction and expansion marketing efforts established in Public Law 1997, chapter 643, Part CC, section 1. Funds must be dispersed in accordance with a competitive quality-based selection procedure as established and administered by the Department of Economic and Community Development.

Business Development

All Other	90,000	120,000
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Provides funds to enter into contracts for 2 Field Representative positions in under-served and economically depressed areas.

**Tourism and Community
Development, Office of**

All Other	25,000
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**DEPARTMENT OF
ECONOMIC AND
COMMUNITY
DEVELOPMENT
TOTAL**

1,615,000	120,000
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**EDUCATION, DEPARTMENT
OF**

Jobs for Maine's Graduates

All Other	36,792	74,651
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Provides funds to increase support for this program by 2.9% each fiscal year.

**General Purpose Aid for Local
Schools**

All Other	482,274	627,727
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Provides funds to increase the amounts available to be distributed to school administrative units for the out-of-district placement adjustment. If additional federal funds are received by this program in fiscal year 1999-00 or fiscal year 2000-01, to the extent possible, the additional federal funds must be used to supplant, rather than supplement, General Fund appropriations. The Commissioner of Education shall submit annual reports detailing program revenue and expenditures by funding

source, and any General Fund balances remaining as a result of increased federal funding, to the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs and the joint standing committee of the Legislature having jurisdiction over education and cultural affairs no later than January 14, 2000 and January 12, 2001.

**DEPARTMENT OF EDUCATION
TOTAL**

519,066 702,378

JUDICIAL DEPARTMENT

Courts - Supreme, Superior, District and Administrative

All Other
Provides funds to increase the rate paid to court-appointed counsel from \$40 per hour to \$50 per hour effective July 1, 2000.

1,500,000

JUDICIAL DEPARTMENT TOTAL

1,500,000

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Mental Retardation Services Community

All Other
Provides funds on a one-time basis to support John F. Murphy Homes' development of housing for 2 autistic adults in Raymond.

10,000

**DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES
TOTAL**

10,000

MAINE TECHNICAL COLLEGE SYSTEM

Maine Technical College System - Board of Trustees

All Other 1,500,000 2,500,000

Provides funds to allow the enrollment of approximately 750 more students to the Maine Technical College System's current rolls.

Maine Technical College System - Board of Trustees

All Other 430,000

Provides funds on a one-time basis for capital projects at Eastern Maine Technical College.

MAINE TECHNICAL COLLEGE SYSTEM TOTAL

1,930,000 2,500,000

TRANSPORTATION, DEPARTMENT OF

Railroad Assistance Program

All Other 300,000

Provides funds on a one-time basis to clear brush and repair washouts on the Calais Rail Branch.

DEPARTMENT OF TRANSPORTATION TOTAL

300,000

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Strategic Technology Initiative

All Other 200,000

Provides funds on a one-time basis for the "Strategic Technology Initiative," a collaborative effort by the University of Maine System and the Eastern Maine Development Corporation, to examine technological opportunities using the wood-based natural resources and the existing skilled labor pool in the Katahdin region.

**Educational and General
Activities - University of
Maine System**

All Other 160,000

Provides funds on a one-time basis to allow the Cultural Heritage Preservation Committee at the University of Maine to develop and publish a new Historical Atlas of Maine.

**BOARD OF TRUSTEES OF
THE UNIVERSITY OF MAINE
SYSTEM**
TOTAL 360,000

SECTION
TOTAL APPROPRIATIONS \$4,903,878 \$4,868,809

Sec. HH-2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**MENTAL HEALTH,
MENTAL RETARDATION
AND SUBSTANCE ABUSE
SERVICES, DEPARTMENT
OF**

Office of Substance Abuse

All Other \$1,000,000

Provides funds from the Fund for a Healthy Maine to continue the recommendations of the Joint Committee on Substance Abuse. These funds will be used to provide additional statewide substance abuse prevention, intervention and treatment services.

**DEPARTMENT OF
MENTAL HEALTH,
MENTAL
RETARDATION AND
SUBSTANCE ABUSE
SERVICES**
TOTAL \$1,000,000

SECTION
TOTAL ALLOCATIONS \$1,000,000

Sec. HH-3. Allocation. The following funds are allocated from the Federal Block Grant Fund in order to carry out the purpose of this Part.

1999-00

**ECONOMIC AND
COMMUNITY
DEVELOPMENT,
DEPARTMENT OF**

**Community Development
Block Grant Program**

All Other \$21,500,000

Provides for the allocation of funds from the United States Department of Housing and Urban Development Disaster Recovery Initiative Program. These are special Community Development Block Grant funds provided to the State in response to the ice storm in January 1998.

**DEPARTMENT OF
ECONOMIC AND
COMMUNITY
DEVELOPMENT**
TOTAL \$21,500,000

SECTION
TOTAL ALLOCATIONS \$21,500,000

PART II

Sec. II-1. 37-B MRSA §504, as amended by PL 1997, c. 783, §2, is further amended to read:

§504. Maine Veterans' Memorial Cemetery System

1. Land acquisition. The director may acquire by eminent domain in accordance with Title 35-A, chapter 65 and with approval of the Governor, or by purchase, gift or otherwise, real estate in fee simple, or any interest therein, for use as a Maine Veterans' Memorial Cemetery System. The land for at least one cemetery must be located near the center of population of the State.

2. Superintendent. The director, with approval of the appointing authority, shall appoint a competent

and trustworthy cemetery superintendent and shall arrange for personnel, material and equipment necessary for adequate maintenance of the ~~cemetery~~ cemeteries. The superintendent must be an honorably discharged war veteran or a war veteran currently a member of the armed services in nonactive or reserve status.

3. Monuments, buildings and markers. The director shall erect a suitable monument in the center of ~~the~~ each cemetery.

A. The monument must be suited to the topography of the land and display, on suitable flag poles, the national emblem and the state flag in accordance with the Flag Code.

B. The immediate area surrounding the monument must be prepared and reserved as a suitable place for commemorating Memorial Day and other appropriate observances. The remaining grounds must be laid out in a wheel-like pattern around the monument, expanding from the center as required. Suitable buildings may be erected for purposes the director determines necessary.

C. All grave markers must be flat-type granite, as furnished by the United States Department of the Army, Memorial Division, or flat-type granite facsimiles of a marker. All boxes used for burial must be protected with permanent vaults or grave liners. Stones and vaults may not be provided at state expense.

4. Burials. Burials in the ~~cemetery shall~~ cemeteries must be as follows.

A-1. As used in this subsection, unless the context indicates otherwise, the following terms have the following meanings.

(1) "Eligible dependent" means the wife, husband, surviving spouse, unmarried minor child, unmarried dependent child enrolled in secondary school or unmarried adult child who became incapable of self-support before reaching 18 years of age on account of mental or physical defects.

(2) "Eligible veteran" means any person who:

(a) Served on active duty in the United States Armed Forces during any federally recognized period of conflict, served on active duty in the United States Armed Forces at any time during the period December 22, 1961 to August 5, 1964 or was eligible for an Armed Forces Expedition-

ary Medal or campaign medal, and who:

(i) If discharged, received an honorable discharge or a general discharge under honorable conditions, provided that the discharge was not upgraded through a program of general amnesty; and

(ii) Was a resident of the State at the time of entering military service, death or the death of an eligible dependent;

(b) Served in the Maine National Guard and died as a result of injury, disease or illness sustained while serving on state active duty as provided in chapter 3, subchapter III; or

(c) Served in the Armed Forces in the United States at any time and was killed or died as a result of hostile action and was a resident of the State at the time of entering military service, at the time of death or at the time of the death of an eligible dependent.

(3) "Federally recognized period of conflict" means World War I, April 6, 1917 to November 11, 1918, or March 31, 1920 if service was in Russia; World War II, December 7, 1941 to December 31, 1946; Korean Conflict, June 27, 1950 to January 31, 1955; the Vietnam War, August 5, 1964 to May 7, 1975; and the Persian Gulf War, August 7, 1990 to April 11, 1991.

B. The director must allow the earth burial in one of the cemetery cemeteries of any eligible veteran who requests burial in the cemetery system. The director must allow the veteran the option of crypt burial if crypt space exists. All burials must be without charge.

C. At the dependent's request, the director must allow an eligible dependent of a veteran to be buried in one of the cemetery cemeteries if, at the date of the dependent's death, the veteran would be eligible for burial. Dependents may be buried in the earth or placed in a crypt adjacent to the veteran without charge, ~~provided that so~~ long as:

(1) If the veteran dies first, the dependents specify in writing their intention to be so buried;

(2) If the dependent dies first, the veteran specifies in writing the intention to be buried in one of the cemeteries; or

(3) Eligible family members of members of the armed services or veterans who are permanently buried overseas, buried at sea, missing in action and declared dead, or whose bodies are inaccessible for other reasons, may be buried in this cemetery, provided that one of the cemeteries if the deceased member of the armed services or veteran was eligible for the burial at the time of death.

D. The plots ~~shall~~ must be reserved as necessary and a permanent record of all burials ~~shall~~ must be kept.

E. Remains of eligible veterans previously buried in other locations may be reinterred in one of the cemeteries upon request, provided that no cost other than that which would be incurred in an original burial is borne by the State.

F. This subsection ~~shall~~ may not be construed to obligate the State beyond the furnishing of a grave site, opening and closing of the grave and maintenance of the grave and the ~~cemeteries~~ cemeteries thereafter in perpetuity.

5. Weekend visitation. The superintendent shall arrange visiting hours to provide public access to the ~~cemeteries~~ cemeteries at least one Saturday or Sunday each month. Regularly scheduled weekly visiting hours may be adjusted to provide for the weekend hours.

Sec. II-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

DEFENSE, VETERANS AND EMERGENCY MANAGEMENT, DEPARTMENT OF

Veterans Services

Capital Expenditures \$300,000

Provides for the appropriation of funds for architectural and engineering services and construction associated with the expansion of the Veterans' Memorial Cemetery. The amount must be repaid in full

by a transfer of revenue from the Veterans Services program, Federal Expenditures Fund to the General Fund on or before June 30, 2001. Any balance of this appropriation remaining on June 30, 2000 may not lapse, but must be carried forward to June 30, 2001 to be used for the same purposes.

Veterans Services

All Other 15,000

Provides for the appropriation of funds for the development of property in Caribou that will be used as a veterans' cemetery.

DEPARTMENT OF DEFENSE, VETERANS AND EMERGENCY MANAGEMENT TOTAL

_____ \$315,000

PART JJ

Sec. JJ-1. 20-A MRSA §15603, sub-§28-A is enacted to read:

28-A. Costs of transitional instruction program using bilingual techniques. "Costs of transitional instruction program using bilingual techniques" means the costs of certified instruction programs that teach English as a 2nd language as part of plans approved by the commissioner and implemented under section 4701, subsection 2. These costs are limited to expenditures for supplemental instructional support for students of limited proficiency in English and may not include federal grant funds used for student instruction in English as a 2nd language or bilingual education. For subsidy purposes, these costs include:

A. The salary and benefit costs of certified teachers with an endorsement in English as a 2nd language or bilingual education contracted to provide services as part of an approved transitional instruction program using bilingual techniques; and

B. The salary and benefit costs of education technicians who are under the supervision of a certified teacher with an endorsement in English as a 2nd language or bilingual education con-

tracted to provide services as part of an approved transitional instruction program using bilingual techniques.

Sec. JJ-2. 20-A MRSA §15612, sub-§12-A is enacted to read:

12-A. Adjustment for costs of certified instruction programs that teach English as a 2nd language instruction as part of transitional instruction program using bilingual techniques; adjustment limitation. A school administrative unit that places a student in an approved transitional instruction program using English as a 2nd language or bilingual techniques established consistent with section 4701, subsection 2 must receive an adjustment equal to the amount of the supplemental costs of certified instruction programs that teach English as a 2nd language for an approved transitional instruction program using bilingual techniques in the year of allocation. State payments to school administrative units pursuant to this subsection must be made during the year of allocation. The funds for the adjustment are limited to the amount appropriated by the Legislature for that purpose, and the department is authorized to prorate payments to units if the amount appropriated is insufficient to make full payments to all units. If additional appropriations are not provided for this adjustment, the department may not redistribute existing appropriations for general purpose aid to local schools.

Sec. JJ-3. 20-A MRSA §15612, sub-§13, as enacted by PL 1989, c. 875, Pt. E, §32, is amended to read:

13. Adjustment limitations. The amounts of the adjustments paid to school administrative units or municipalities in subsections 1, 2, 4, 6, 7, 10, 11 ~~and~~ 12 and 12-A are limited to the amounts appropriated by the Legislature for these adjustments.

Sec. JJ-4. General Purpose Aid for Local Schools; lapsed balances. Notwithstanding any other provision of law, any unobligated balances from fiscal year 1998-99 in the General Purpose Aid for Local Schools account carry forward to 1999-00. Notwithstanding any other provision of law, an amount of \$1,000,000 from the fiscal year 1999-00 appropriation that remains in the General Purpose Aid for Local Schools account, or any other available balances in the account that sum to \$1,000,000, lapses to the General Fund no later than June 30, 2000. Notwithstanding any other provision of law, any unobligated balances in excess of \$1,000,000 from fiscal year 1999-00 in the General Purpose Aid for Local Schools account carry forward to 2000-01.

Sec. JJ-5. General Purpose Aid for Local Schools; lapsed balances. Notwithstanding any other provision of law, an amount of \$1,600,000 from

the fiscal year 2000-01 appropriation that remains in the General Purpose Aid for Local Schools account, or any other available balances in the account that sum to \$1,600,000, lapses to the General Fund no later than June 30, 2001.

Sec. JJ-6. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
EDUCATION, DEPARTMENT OF		
General Purpose Aid for Local Schools		
All Other	\$1,000,000	\$1,600,000
Provides funds for the adjustment for the costs of certified English as a 2nd language instruction.		

PART KK

Sec. KK-1. School breakfast incentive grants. Any school in which at least 30% of the students enrolled on October 1, 1998 were eligible for free or reduced-price meals qualifies for a one-time support grant of up to \$3,000 toward the cost of establishing a school breakfast program.

1. A school qualifying for a grant that chooses not to establish a school breakfast program shall file a report with the Department of Education explaining why it chose not to offer a school breakfast program.

2. Nothing in this section prevents a school not qualifying for a grant from implementing a school breakfast program at any time.

3. The Department of Education shall administer this section and manage the grant process. The department shall notify schools of their eligibility for a grant under this section. The department may adopt rules necessary for implementation of this section and for compliance with federal guidelines for the National School Breakfast Program. Rules adopted under this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. KK-2. Application. The grants provided under this Part are available during the 1999-2000 school year for eligible schools that did not offer a school breakfast program during the 1998-1999 school year.

Sec. KK-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

**EDUCATION,
DEPARTMENT OF**

School Breakfast Program

All Other \$240,000

Provides funds on a one-time basis for grants to eligible public schools to establish school breakfast programs.

PART LL

Sec. LL-1. 27 MRSA §558 is enacted to read:

§558. Maine Communities in the New Century Program

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Council" means the Maine State Cultural Affairs Council.

B. "Participating agencies" means the:

- (1) Maine Arts Commission;
- (2) Maine Historic Preservation Commission;
- (3) Maine State Library;
- (4) Maine State Museum;
- (5) Maine Historical Society;
- (6) Maine State Archives; and
- (7) Maine Humanities Council.

C. "Program" means the Maine Communities in the New Century Program established in subsection 2.

2. Program established; objectives. The Maine Communities in the New Century Program is established under the auspices of the council to further the following objectives:

- A. Preservation of the State's historic resources, properties, artifacts and documents;
- B. Expanded access to improved educational resources; and
- C. Community and economic development through strengthened local cultural resources.

3. Program components. To assist communities in preserving, improving and providing access to cultural resources, the program shall provide matching grants, technical assistance and support services to local, nonprofit, community-based organizations.

4. Council duties. The council shall:

A. Oversee the planning and implementation of the program and coordinated communication among the participating agencies on behalf of Maine communities;

B. Establish an outside evaluation system for the project to be implemented in the 2nd year of the program;

C. Provide a forum of interagency planning among the participating agencies;

D. Receive and distribute notices and instructions from other governmental administrative agencies;

E. Meet quarterly to assess the progress of the program;

F. Coordinate the program with a statewide cultural alliance organization that is a private nonprofit educational agency supporting libraries, museums and arts and humanities organizations and with statewide groups of individuals and artists concerned about the health of the State's cultural resources; and

G. Submit an annual report to the Legislature on the program.

5. Participating agency duties. The participating agencies shall:

A. Provide matching grants and services to eligible nonprofit and community-based organizations;

B. Participate in coordinated efforts of the council; and

C. Provide appropriate information for the annual report to the Legislature.

Sec. LL-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

MAINE ARTS COMMISSION

Arts - Administration

All Other \$460,000

Provides funds for one-time grants to implement this Part.

Maine Humanities Council

All Other	484,000
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Provides funds for one-time grants to implement this Part.

MAINE ARTS COMMISSION

TOTAL	\$944,000
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MAINE HISTORIC PRESERVATION COMMISSION

Historic Preservation Commission

All Other	\$506,000
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Provides funds for one-time grants to implement this Part.

MAINE HISTORIC PRESERVATION COMMISSION

TOTAL	\$506,000
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MAINE STATE LIBRARY

Administration - Library

All Other	\$1,292,400
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Provides funds for one-time grants to implement this Part.

MAINE STATE LIBRARY

TOTAL	\$1,292,400
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MAINE STATE MUSEUM

Administration - Museum

All Other	\$149,600
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Provides funds for one-time grants to implement this Part.

MAINE STATE MUSEUM

TOTAL	\$149,600
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MAINE HISTORICAL SOCIETY

Historical Society

All Other	\$220,000
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Provides funds for one-time grants to implement this Part.

MAINE HISTORICAL SOCIETY

TOTAL	\$220,000
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SECRETARY OF STATE, DEPARTMENT OF THE

Administration - Archives

All Other	\$88,000
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Provides funds for one-time grants to implement this Part.

DEPARTMENT OF THE SECRETARY OF STATE

TOTAL	\$88,000
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TOTAL APPROPRIATIONS

	\$3,200,000
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PART MM

Sec. MM-1. 22 MRSA c. 416-A is enacted to read:

CHAPTER 416-A

DENTAL SERVICES

§2127. Oral health care

1. Access to quality oral health services. The department shall develop access to quality oral health services for low-income residents with emphasis on underserved areas or populations by encouraging the development or expansion of community-operated, nonprofit oral health care programs that serve persons who are uninsured or underinsured for oral health care and that serve persons whose oral health care is covered by Medicaid.

2. Development of oral health care programs. The department shall use funds appropriated for the purposes of this chapter, any available funds from Medicaid or other resources to provide funding for the start-up or expansion of public or nonprofit oral health care programs; to subsidize the provision of oral

health care to persons without insurance coverage for that care in accordance with paragraph B; and to provide oral health case management and community oral health education designed to encourage good oral hygiene and to prevent oral diseases and tooth decay. Any oral health care program receiving funds under this chapter must:

A. Serve persons whose oral health care is covered by Medicaid;

B. Provide oral health care services to persons whose gross income is below 200% of the nonfarm income official federal poverty guidelines for whom insurance coverage is not available for the same payment as provided by Medicaid for the service if the subsidy described in this subsection is available. Persons without insurance to cover the service required and who have an income under 200% of the nonfarm income official federal poverty guidelines must be charged fees for oral health care on a sliding scale. The department shall establish the sliding scale by routine technical rules adopted pursuant to Title 5, chapter 375, subchapter II-A. The difference between the Medicaid rate and the payment made by the patient under the sliding fee arrangement must be paid to the oral health care program by the department. If a Medicaid rate is not established for a particular service provided under this section, the department shall establish a rate for that service.

(1) Persons with gross income less than 100% of the nonfarm official federal poverty guidelines may not be required to pay more than a nominal fee. For the purposes of this section, "nominal fee" has the same meaning as it has under Medicaid.

(2) In determining gross income, the department shall permit the deduction of business-related expenses of those who are self-employed;

C. Be governed by a board, a majority of whose members are individuals who are or will be served by the program and who, as a group, represent the individuals being served in terms of demographic factors such as residing in the community being served, income, race, ethnicity and gender. The board is responsible for:

(1) The establishment of the policy in the conduct of the program;

(2) Holding regularly scheduled meetings, of which minutes must be kept;

(3) Approval of the selection or dismissal of a program director or chief executive officer of the program;

(4) Establishing personnel policies and procedures, including selection and dismissal procedures, salary and benefit scales, employee grievance procedures and equal opportunity practices;

(5) Adopting policies for financial management practices, including a system to ensure accountability for program resources, approval of the annual program budget, program priorities, eligibility for services, including criteria for partial payment schedules, and long-range financial planning;

(6) Evaluating program activities including services utilization patterns, program productivity, patient satisfaction, achievement of program objectives and development of a process for hearing and resolving patient grievances;

(7) Ensuring that the program is operated in compliance with applicable federal, state and local laws, rules and regulations; and

(8) Adopting health care policies including scope and availability of services, location and hours of services and quality of care audit procedures;

D. Use any funds provided for the purposes of this chapter to supplement, and not supplant, other funds that are or may be available to the oral health care program;

E. Implement a patient screening process to determine patient eligibility for Medicaid, the Cub Care program under Title 22, section 3174-T and the sliding fee scale; and

F. Employ at least one full-time equivalent dentist practicing general dentistry and be open for business at least 20 hours a week, providing at least 4 hours of coverage during evenings or weekends.

A program may not receive funds under this chapter to serve more than 3 contiguous dental care analysis areas as defined by the Bureau of Health in the department.

3. Discrimination prohibited. An oral health care program receiving funds under this chapter may not discriminate among patients within its service area based upon payment source except as specifically authorized in subsection 2, paragraph B.

4. Vouchers for private dental services. An oral health program that receives funds under this chapter may establish a voucher system for the purpose of reimbursing private dental providers providing services to patients of the program in accordance with the provisions of this subsection.

A. A voucher may be used only when:

(1) A program chooses to provide specialized oral health services to its patients but can not provide these services directly;

(2) The patient can not be served by the program with reasonable promptness; or

(3) The distance to the program location or transportation problems make access to the program difficult for the patient.

B. A voucher payment made to a private provider does not exceed the difference between the patient's obligation, if any, under a sliding scale and the rate that Medicaid would reimburse a private provider for that same service. If no fee is established for the particular service in the Medicaid program, the department shall establish a fee.

C. A voucher payment is made only to a provider enrolled to provide services in the Medicaid program.

An oral health care program may place reasonable restrictions on a voucher system it establishes if those restrictions are consistent with the purposes of this chapter pursuant to subsection 1.

Even though an oral health care program receives funds under this chapter for the purpose of serving part of its service area through a voucher system, this does not prevent the application of another organization seeking funds under this chapter to provide direct program services to the residents of that area.

5. Encouraging community support. The department shall require any entity seeking funds for the start-up or expansion of oral health programs under this chapter to raise matching funds, including in-kind support, sufficient to demonstrate community support.

6. Coordination with Medicaid and the Cub Care program. The department shall coordinate assistance under this chapter with Medicaid and the Cub Care program under Title 22, section 3174-T in a manner most likely to obtain and maximize federal matching funds.

7. Rules. The department shall adopt rules, which are routine technical rules, pursuant to Title 5, chapter 375, subchapter II-A, to implement this chapter.

Sec. MM-2. Evaluation and report. By February 1, 2001, the Department of Human Services shall evaluate the status of access to oral health care for uninsured people in this State and those receiving Medicaid and shall report its findings to the joint standing committee of the Legislature having jurisdiction over health and human services matters. The report must include recommendations on the method that would be the most cost-effective for this State to meet the oral health needs of low-income people.

Sec. MM-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Health

All Other \$250,000

Provides funds from the Fund for a Healthy Maine for start-up and expansion of oral health care programs.

Bureau of Health

All Other 650,000

Provides funds from the Fund for a Healthy Maine to subsidize sliding-fee scale programs for uninsured low-income people.

Bureau of Health

All Other 50,000

Provides funds from the Fund for a Healthy Maine for case management and community education and oral health education.

Bureau of Medical Services

All Other 50,000

Provides funds from the Fund for a Healthy Maine for Medicaid targeted case management services for oral health care.

DEPARTMENT OF HUMAN SERVICES	
TOTAL	\$1,000,000
SECTION	
TOTAL ALLOCATIONS	\$1,000,000

Sec. MM-4. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF	
Bureau of Medical Services	
All Other	\$98,017
Allocates matching funds for targeted case management services for oral health care.	

DEPARTMENT OF HUMAN SERVICES	
TOTAL	\$98,017
SECTION	
TOTAL ALLOCATIONS	\$98,017

Sec. MM-5. Contingent effective date. This Part takes effect on July 1, 2000 only if sufficient funds are available in the Fund for a Healthy Maine.

PART NN

Sec. NN-1. 5 MRSA §12004-I, sub-§7-C is enacted to read:

<u>7-C.</u>	<u>Advisory</u>	<u>Not</u>	<u>20-A</u>
<u>Education</u>	<u>Committee</u>	<u>Authorized</u>	<u>MRSA</u>
	<u>on Dental</u>		<u>§12304</u>
	<u>Education</u>		

Sec. NN-2. 20-A MRSA c. 426 is enacted to read:

CHAPTER 426

MAINE DENTAL EDUCATION AND RE-CRUITMENT

§12301. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Authority. "Authority" means the Finance Authority of Maine.

2. Chief executive officer. "Chief executive officer" means the Chief Executive Officer of the Finance Authority of Maine.

3. Maine resident. "Maine resident" means a person who has been a resident of the State for a minimum of 2 years at the time of the person's entry to dental school for purposes other than education, as determined by rule of the authority. In determining residency, the authority shall consider:

- A. Length of residence in the State for other than tuition purposes;
- B. Secondary school attended;
- C. Legal residence of parents;
- D. Place of voting registration, if registered to vote;
- E. Place where taxes are paid; and
- F. Other indicators established by the authority.

4. Underserved population area. "Underserved population area" means a population group or geographical area receiving insufficient oral health care, as determined by the Commissioner of Human Services and as defined in rules adopted by the Department of Human Services pursuant to section 12305. The rules must take into consideration factors that include, but are not limited to, family income levels, availability of dental care and percentage of families qualifying for Medicaid coverage.

§12302. Maine Dental Education Loan Program

1. Establishment. The Maine Dental Education Loan Program, referred to in this chapter as the "program," is established. The authority shall administer the program. Under this program, beginning in fiscal year 2000-01 the chief executive officer shall award up to 3 loans or loan repayment agreements annually up to an aggregate of 12. As provided in subsection 3:

- A. Loans are available to Maine residents enrolled in a dental school; or
- B. A loan repayment agreement is available to a person who is eligible for licensure as a doctor of dental medicine in Maine and who has outstanding dental education loans.

2. Application process. Application must be made directly to the authority.

3. Eligibility. The following persons are eligible to participate in the program:

A. Applicants under subsection 1, paragraph A who meet eligibility criteria established by rule of the authority, which at a minimum must require:

- (1) That the student be a Maine resident;
- (2) That the student be enrolled in a dental school; and
- (3) That priority be given to a student:
 - (a) Who previously received a loan pursuant to this section;
 - (b) Who exhibits financial need; and
 - (c) Who demonstrates an interest in serving an underserved population area; and

B. Applicants under subsection 1, paragraph B who meet eligibility criteria established by rule of the authority, which at a minimum must require:

- (1) That the applicant be eligible for licensure to practice dental medicine in Maine;
- (2) That the applicant have outstanding dental education loans; and
- (3) That the applicant be willing to serve an underserved population area.

4. Maximum amount. The maximum loan or loan repayment amount available to each participant is \$20,000 per year for a period of up to 4 years.

5. Loan agreement; forgiveness. A student applying under subsection 1, paragraph A shall enter into a loan agreement as set out in this subsection.

A. Upon completion of professional education, the student shall repay the loan in accordance with this paragraph.

- (1) A loan recipient who does not obtain loan forgiveness pursuant to subparagraph (2) shall repay the entire principal of the loan plus simple interest at a rate to be determined by rule of the authority.

Interest does not begin to accrue until the loan recipient completes dental education.

- (2) A loan recipient who, upon conclusion of the recipient's professional education, including any fellowships, elects to serve as a practitioner of dental medicine in an un-

derserved population area is forgiven 25% of the original outstanding indebtedness for each year of that practice.

B. Loans must be repaid over a term no longer than 10 years, except that the chief executive officer may extend an individual's term as necessary to ensure repayment of the loan. Repayment must commence when the loan recipient completes, withdraws from or otherwise fails to continue dental education.

C. A loan recipient serving an underserved population area pursuant to paragraph A, subparagraph (2) must serve all patients regardless of ability to pay through insurance or other payment source.

6. Loan repayment agreement. An applicant under subsection 1, paragraph B shall enter into a loan repayment agreement as set out in this subsection.

A. An applicant will receive payment from the authority on the applicant's outstanding indebtedness for dental education at a rate of \$20,000 per year of service for up to 4 years as long as the applicant continues to serve as a practitioner of dental medicine in an underserved population area.

B. A person receiving loan repayment payments under this subsection must serve all patients regardless of ability to pay through insurance or other payment source.

7. Default. A loan recipient who agrees to practice in an underserved population area and who fails to complete the period of service required to pay off the loan is liable to the authority for an amount equal to the sum of the total amount paid by or on behalf of the authority to or on behalf of the recipient under the contract plus interest at a rate determined by the authority. Credit for practice in an underserved population area will be awarded for each consecutive 12-month period served. Exceptions may be made by the authority in accordance with subsection 8.

A loan recipient may be granted permission to default without penalty from an agreement to serve in an underserved population area by petitioning the authority. Grounds for permission to default without penalty include, but are not limited to, catastrophic circumstances that prevent the recipient from remaining in an underserved population area for the required period of time. The recipient receives credit for the number of months served and the remaining financial obligation plus interest must be repaid to the authority in cash under the terms of the original agreement.

8. Deferrals. Deferrals on the repayment of a loan under the program may be granted for causes

established by rule of the authority. Interest at a rate to be determined by rule of the authority must be assessed during the deferment. The student's total debt to the authority, including principal and interest, must be repaid either through return service or cash payments. The chief executive officer shall make determinations of deferment on a case-by-case basis. The decision of the chief executive officer is final.

§12303. Nonlapsing fund

1. Fund created. A nonlapsing, interest-earning, revolving fund under the jurisdiction of the authority is created to carry out the purposes of this chapter. Any unexpended balance in the fund carries over for continued use under this chapter. The authority may receive, invest and expend, on behalf of the fund, money from gifts, grants, bequests and donations in addition to money appropriated or allocated by the State. Loan repayments under this chapter or other repayments to the authority must be invested by the authority, as provided by law, with the earned income to be added to the fund. Money received by the authority on behalf of the fund, except interest income, must be used for the designated purpose; interest income may be used for the designated purpose or to pay student financial assistance administrative costs incurred by the authority for the operation of the program.

2. Allocation of repayments. The authority may reallocate a portion of the annual loan repayments for the purpose of recruiting dentists for underserved population areas. That portion may be used:

A. In accordance with criteria established by the authority, to encourage dentists to practice in underserved population areas; or

B. To repay education loans for the dental education of licensed dentists to enable the dentists to practice in underserved population areas.

§12304. Advisory Committee on Dental Education

1. Committee. The Advisory Committee on Dental Education, established pursuant to Title 5, section 12004-I, subsection 7-C, shall assist the chief executive officer in evaluating and improving the program.

2. Members. The Advisory Committee on Dental Education consists of:

A. Ten voting members appointed by the President of the Senate and the Speaker of the House as follows:

(1) One member appointed by the Speaker who represents a major statewide organization representing dentists;

(2) One member appointed by the Speaker who represents a major statewide coalition dedicated to issues concerning ambulatory care;

(3) One member appointed by the Speaker who represents a major statewide alliance dedicated to children's issues;

(4) One member appointed by the Speaker who represents the Department of Human Services, Bureau of Health, Oral Health Program;

(5) Two members of the House of Representatives appointed by the Speaker;

(6) One member appointed by the President who represents a major statewide organization of consumers dedicated to the cause of affordable health care;

(7) One member appointed by the President who represents a major statewide organization dedicated to ensuring equal justice;

(8) One member appointed by the President who represents the Department of Human Services, Bureau of Medical Services; and

(9) One Senator appointed by the President.

The chief executive officer may submit recommendations for appointees under this paragraph to the President of the Senate and the Speaker of the House; and

B. Two nonvoting members, one of whom represents the authority, appointed by the Speaker, and one of whom represents an office of primary health care appointed by the President.

3. Vacancies. In the case of a vacancy or resignation, an appointment must be made as for a new member to fill the vacancy until the expiration of the term.

4. Terms. The term of office for all appointees is 2 years.

§12305. Rules

The authority shall establish rules necessary to implement this chapter. The Commissioner of Human Services shall develop rules for determining under-

served population areas. These rules must include a process for ensuring guaranteed access to dental care through technical assistance and site visits to participating providers. The rules authorized by this section must be adopted in accordance with Title 5, chapter 375, subchapter II. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

Sec. NN-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

FINANCE AUTHORITY OF MAINE

Maine Dental Education Loan Program

All Other \$60,000

Provides funds for loans to Maine residents enrolled in a school of dental education or to repay loan agreements for practicing doctors of dental medicine who practice in underserved population areas from amounts available in the Fund for a Healthy Maine.

Sec. NN-4. Contingent effective date. This Part takes effect July 1, 2000 only if sufficient funds are available in the Fund for a Healthy Maine.

PART OO

Sec. OO-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

FINANCE AUTHORITY OF MAINE

Student Financial Assistance Programs

All Other \$100,000

Provides funds for the operating costs of the Maine Area Health Education Centers System available from the Fund for a Healthy Maine.

PART PP

Sec. PP-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

HUMAN SERVICES, DEPARTMENT OF

Community Family Planning

All Other \$400,000

Provides funds from the Fund for a Healthy Maine for grants to community-based agencies to provide family planning and pregnancy prevention services.

PART QQ

Sec. QQ-1. 22 MRSA §3174-T, sub-§2, ¶A, as reallocated by RR 1997, c. 2, §46, is amended to read:

A. The maximum eligibility level, subject to adjustment by the commissioner under paragraph B, is ~~185%~~ 200% of the nonfarm income official poverty line.

Sec. QQ-2. 22 MRSA §3174-T, sub-§11 is enacted to read:

11. Cub Care drug rebate program. The department shall enter into a drug rebate agreement with each manufacturer of prescription drugs under the Cub Care program in accordance with the federal Social Security Act, Section 1927, as long as the agreements are consistent with state and federal law, are approved by the federal Health Care Finance Administration and result in a net increase in rebate revenue available to the Cub Care program. Individual rebate agreements may vary.

A. Any increase in revenue from the Cub Care drug rebate program over accepted estimates as of the effective date of this subsection that results in a higher percentage of the total Cub Care drug rebates must be reserved to provide coverage pursuant to this section.

Sec. QQ-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

**HUMAN SERVICES,
DEPARTMENT OF**

**Bureau of Family
Independence - Central**

Positions - Legislative Count (1.000)
Personal Services \$29,587

Provides funds from the Fund for a Healthy Maine for one Human Services Aide III position that reflect the costs to manage the increased access to Cub Care.

**Medical Care - Payments to
Providers**

All Other \$466,796

Provides funds from the Fund for a Healthy Maine for the costs to increase access to Cub Care.

**DEPARTMENT OF
HUMAN SERVICES
TOTAL**

\$496,383

Sec. QQ-4. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Bureau of Family
Independence - Central**

Positions - Legislative Count (1.000)
Personal Services \$29,587
All Other 5,000

TOTAL \$34,587

Provides funds for one Human Services Aide III position and related operating costs that reflect the federal share of the costs to manage the increased access to Cub Care.

**Medical Care - Payments to
Providers**

All Other \$1,507,807

Provides funds for the federal share of the costs to increase access to Cub Care.

**DEPARTMENT OF
HUMAN SERVICES
TOTAL**

\$1,542,394

Sec. QQ-5. Contingent effective date. This Part takes effect July 1, 2000 only if sufficient funds are available in the Fund for a Healthy Maine.

PART RR

Sec. RR-1. Department of Labor; establish pilot program. The Department of Labor shall establish the Peer Support Program for Displaced Workers as a pilot program to provide advocacy and information for workers displaced by significant layoffs. The program may initiate one or more projects to assist employees, as provided in sections 2 to 4 of this Part.

Sec. RR-2. Initiation of projects. When 100 or more employees of a single employer are laid off, the Department of Labor shall initiate a peer support project to assist the affected employees. The department may initiate a project when 50 or more employees are laid off if the department determines that a peer support project is warranted, after considering the particular needs of the affected workforce and the affected communities.

Sec. RR-3. Employment and role of peer support workers. For each project, the Department of Labor shall employ one or more peer support workers who must be displaced nonmanagerial employees from the affected workforce. The department shall attempt in all cases to hire one peer support worker for each 50 affected employees and to hire at least 2 peer support workers for each project. A peer support worker shall serve as a worker advocate and an information source connecting the affected workers and the State's workforce development programs. The peer support worker shall use the resources of local employment assistance programs as well as state programs. The department shall collaborate with employee representatives in hiring and overseeing peer support workers. The department shall ensure that peer support workers have an opportunity to receive training and to work as a team even if they are geographically dispersed.

Sec. RR-4. Duration of project. The Department of Labor shall determine the duration of each

project, taking into consideration the size, scope and nature of the layoff and the period of time over which the layoff occurs.

Sec. RR-5. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

LABOR, DEPARTMENT OF

Employment Services Activity

All Other \$1,200,000

Provides a one-time appropriation to establish the Peer Support Program for Displaced Workers as a pilot program to assist workers displaced by significant layoffs.

PART SS

Sec. SS-1. 34-B MRSA §1208, sub-§7 is enacted to read:

7. Community agency staff retention. The commissioner shall, through contracts and service agreements with community agencies, provide funding to retain qualified direct-care workers employed by community mental retardation services providers.

Sec. SS-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00 2000-01

MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES, DEPARTMENT OF

Mental Retardation Services - Community

All Other \$83,930 \$112,000

Provides funds for wage increases to direct care workers employed by community mental retardation services providers. These wage increases will ensure that no direct care worker will receive less than \$8.15 per hour and will further

provide for a 4% cost-of-living increase for such workers who are presently receiving an hourly wage of \$7.85 or more.

Medicaid Services - Mental Retardation

All Other 1,115,070 1,488,000

Provides funds for wage increases to direct care workers employed by community mental retardation services providers. These wage increases will ensure that no direct care worker will receive less than \$8.15 per hour and will further provide for a 4% cost-of-living increase for such workers who are presently receiving an hourly wage of \$7.85 or more.

DEPARTMENT OF MENTAL HEALTH, MENTAL RETARDATION AND SUBSTANCE ABUSE SERVICES

TOTAL \$1,199,000 \$1,600,000

Sec. SS-3. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

1999-00 2000-01

HUMAN SERVICES, DEPARTMENT OF

Nursing Facilities

All Other \$2,190,309 \$2,916,975

Provides funds for the federal share of wage increases to direct care workers employed by community mental retardation services providers. These wage increases will ensure that no direct care worker will receive less than \$8.15 per hour and will further provide for a 4% cost-of-living increase for such workers who are presently receiving an hourly wage of \$7.85 or more.

Sec. SS-4. Effective date. This Part takes effect October 1, 1999.

PART TT

Sec. TT-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
ECONOMIC AND COMMUNITY DEVELOPMENT, DEPARTMENT OF		
Administration - Economic and Community Development		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$85,940	\$86,539
Provides for the appropriation of funds for one Maine Technology Institute Director position.		
Administration - Economic and Community Development		
All Other	2,914,060	6,113,461
Provides for the appropriation of funds for research and development grants for the Maine Technology Institute.		
Administration - Economic and Community Development		
All Other	200,000	200,000
Provides for the appropriation of funds from a transfer of funding for the Maine Technology Investment Fund from the Maine Science and Technology Foundation.		
DEPARTMENT OF ECONOMIC AND COMMUNITY DEVELOPMENT TOTAL	\$3,200,000	\$6,400,000
EDUCATION, DEPARTMENT OF		
Learning Systems		
All Other	\$25,000	\$25,000
Provides funds to expand the Department of Education's partnership		

with the National Aeronautic and Space Administration to provide intensive, high-quality training in math and science for Maine educators.

DEPARTMENT OF EDUCATION TOTAL	\$25,000	\$25,000
FOUNDATION FOR BLOOD RESEARCH		
ScienceWorks for ME		
All Other	\$50,000	\$50,000
Provides funds to support the ScienceWorks for ME equipment program to provide adequate laboratory equipment in secondary schools.		
FOUNDATION FOR BLOOD RESEARCH TOTAL	\$50,000	\$50,000
MARINE RESOURCES, DEPARTMENT OF		
Governor's Marine Studies Fellowship Program		
All Other	\$50,000	\$50,000
Provides funds for the Governor's Marine Studies Fellowship Program.		
DEPARTMENT OF MARINE RESOURCES TOTAL	\$50,000	\$50,000
MAINE SCIENCE AND TECHNOLOGY FOUNDATION		
Maine Science and Technology Foundation		
All Other	\$75,000	\$75,000
Provides funds to support the Maine Research Internships for Teachers and Students program to provide internship opportunities in science and mathematics for teachers and students.		
Maine Science and Technology Foundation		

All Other	(\$200,000)	(\$200,000)
Provides for the deappropriation of funds for the transfer of funding for the Maine Technology Investment Fund to the Department of Economic and Community Development.		
MAINE SCIENCE AND TECHNOLOGY FOUNDATION		
TOTAL	(\$125,000)	(\$125,000)

UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE

Educational and General Activities - UMS

All Other	\$5,550,000	\$5,600,000
Provides funds for the first biennium of a long-term funding strategy for the Maine Economic Improvement Fund, to be used to fund applied research and development at the University of Maine System.		

Educational and General Activities - UMS

All Other	\$75,000	\$75,000
Provides funds to create and operate a Center for Advanced Law and Management at the University of Southern Maine.		

BOARD OF TRUSTEES OF THE UNIVERSITY OF MAINE SYSTEM

TOTAL	\$5,625,000	\$5,675,000
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SECTION

TOTAL APPROPRIATION	\$8,825,000	\$12,075,000
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PART UU

Sec. UU-1. State Research Library for Business, Science and Technology. The Raymond H. Fogler Library at the University of Maine is designated the State Research Library for Business, Science and Technology. The purpose of the library is to serve the people of the State by providing research and development information services in the areas of business, science and technology.

Sec. UU-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE		
Educational and General Activities - UMS		
All Other	\$175,000	\$175,000
Provides funds for the purchase of information resources, equipment and staff support for the State Research Library for Business, Science and Technology.		

PART VV

Sec. VV-1. University of Maine System. Pursuant to the Maine Revised Statutes, Title 20-A, section 10952, subsection 7, the University of Maine System shall borrow money and issue evidences of indebtedness in an amount up to \$25,000,000 to fund capital improvements to support research and development in the system. The financing agreement may not exceed 15 years in duration and the interest rate may not exceed 6%.

Sec. VV-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	2000-01
UNIVERSITY OF MAINE SYSTEM, BOARD OF TRUSTEES OF THE	
Debt Service - University of Maine System	
All Other	\$2,500,000
Provides funds for the first of an estimated 15 years of debt service payments on \$25,000,000 of university bonds to be issued in fiscal year 2000-01 for capital improvements to support research and development in the University of Maine System. The financing agreement may not exceed 15	

years in duration and the interest rate may not exceed 6%.

PART WW

Sec. WW-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Harness Racing Commission		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$57,642	\$58,168
All Other	22,329	22,977
Total	79,971	81,145
Provides funds for the transfer of one Veterinarian position and funds for contracted veterinary services from the Division of Animal Health and Industry.		
Division of Animal Health and Industry		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(57,642)	(58,168)
All Other	(22,329)	(22,977)
Total	(79,971)	(81,145)
Deappropriates funds through the transfer of one Veterinarian position and funds for contracted veterinary services to the Harness Racing Commission.		
Office of Planning, Policy, Legislation and Information Services		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(43,182)	(43,667)
All Other	(14,335)	(14,335)
Total	(57,517)	(58,002)
Deappropriates funds through the transfer of one Planning and Research Associate I position and related operating funds to the		

Division of Market and Production Development.

Division of Market and Production Development

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	43,182	43,667
All Other	14,335	14,335
Total	57,517	58,002

Provides funds for the transfer on one Planning and Research Associate I position and related operating funds from the Office of Planning, Policy, Legislation and Information Services.

SECTION TOTAL APPROPRIATION

0	0
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Sec. WW-2. Allocation. The following funds are allocated from Other Special Revenue to carry out the purposes of this Part.

	1999-00	2000-01
AGRICULTURE, FOOD AND RURAL RESOURCES, DEPARTMENT OF		
Harness Racing Commission		
Positions - Legislative Count	(-1,000)	(-1,000)
Personal Services	(54,574)	(55,504)
All Other	(24,918)	(22,903)
Total	(79,492)	(78,407)
Deallocates funds through the transfer of one Agriculture Promotion Coordinator position and related operating funds to the Division of Market and Production Development.		
Office of Planning, Policy, Legislation and Information Services		
All Other	(38,356)	(38,356)
Deallocates funds through the transfer of the Eastern States Exhibition program and the Agricultural Trades Show program to the Division of Market and Production Development.		

Division of Market and Production Development

Positions - Legislative Count	(1,000)	(1,000)
Personal Services	54,574	55,504
All Other	24,918	22,903
Total	79,492	78,407

Allocates funds for the transfer of one Agriculture Promotion Coordinator position and related operating funds from the Harness Racing Commission.

Division of Market and Production Development

All Other	38,356	38,356
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Allocates funds for the transfer of the Eastern States Exhibition program and the Agricultural Trades Show program from the Office of Planning, Policy, Legislation and Information Services.

SECTION		
TOTAL ALLOCATION	\$0	\$0

PART XX

Sec. XX-1. Technology resources and services. The Director of the Bureau of Information Services, with the assistance and cooperation of the State Budget Officer and executive branch agencies, shall identify the amount of appropriations and allocations to executive branch agencies in excess of \$250,000 related to information systems design, information technology improvements, data processing equipment and services and telecommunication services and equipment during fiscal year 1999-00 and fiscal year 2000-01 and shall require agencies to purchase information services and equipment through the Bureau of Information Services. The Director of the Bureau of Information Services shall provide to the Joint Standing Committee on Appropriations and Financial Affairs a report of the number of agency service level agreements implemented no later than December 1, 1999 and December 31, 2000.

Sec. XX-2. Technology services; restricted. The Bureau of Information Services is the only state agency authorized to provide information technology services to agencies of State Government without the written consent of the Director of the Bureau of Information Services.

Sec. XX-3. Report to Legislature. The Director of the Bureau of Information Services shall, no later than July 1, 2000, provide a comprehensive technology plan for the executive branch.

PART YY

Sec. YY-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

EDUCATION, DEPARTMENT OF

Magnet Schools

All Other	\$144,000
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Provides funds on a one-time basis to support the Maine School of Science and Mathematics.

PART ZZ

Sec. ZZ-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

TRANSPORTATION, DEPARTMENT OF

Highway and Bridge Improvement

Capital Expenditures	\$5,773,969
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Provides funds on a one-time basis to support the Highway Fund. These funds are to be used for capital projects that would otherwise be bonded.

Sec. ZZ-2. Transportation Funding Reserve; established. The Transportation Funding Reserve is established for the fiscal year ending June 30, 2000 in the General Fund for the purpose of accumulating funds to provide funding to the Department of Transportation for capital projects to reduce the amounts that would otherwise be bonded. Expenditures may not be made from this reserve without further authorization of the Legislature.

Sec. ZZ-3. Funding of Transportation Funding Reserve. Notwithstanding any other provision of law, at the close of fiscal year 1998-99,

the State Controller shall transfer to the Transportation Funding Reserve from the available balance remaining in the General Fund after the deduction of all appropriations, financial commitments or other designated funds an amount up to the total of the lapsed balances from the amounts appropriated from the General Fund in fiscal year 1998-99 for the Personal Services line category.

Sec. ZZ-4. Report. The Commissioner of Administrative and Financial Services and the Commissioner of Transportation shall report jointly to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Transportation by December 15, 1999 on the financial status of the Transportation Funding Reserve and shall submit any implementing legislation.

PART AAA

Sec. AAA-1. 5 MRSA §12004-G, sub-§33-D is enacted to read:

<u>33-D.</u> Technology	<u>Maine</u> <u>Technol-</u> <u>ogy</u> <u>Institute</u>	<u>Expenses</u> <u>Only</u>	<u>5 MRSA</u> <u>§15302</u>
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Sec. AAA-2. 5 MRSA §13070-N is enacted to read:

§13070-N. Maine Technology Institute Director

1. Appointment. The Governor shall appoint, using a full and competitive search process and after giving proper consideration to the qualifications in subsection 3, a full-time Maine Technology Institute Director, referred to in this section as the "director," subject to review by the joint standing committee or joint select committee of the Legislature having jurisdiction over research and development matters and to confirmation by the Legislature, who serves at the pleasure of the Governor. The director shall report to the commissioner in the execution of the director's responsibilities.

2. Duties. The director serves as the president of the Maine Technology Institute upon confirmation by the institute's board of directors. The director shall oversee activities of the institute and has the duties and responsibilities provided in chapter 407.

3. Qualifications. The director must have demonstrated experience in the management of organizations that innovate, commercialize and deploy technology and expertise in integrating technology commercialization and deployment with economic development.

Sec. AAA-3. 5 MRSA c. 407 is enacted to read:

CHAPTER 407

RESEARCH AND DEVELOPMENT

§15301. Definitions

As used in this chapter, unless the context otherwise indicates, the following terms have the following meanings.

1. Institute. "Institute" means the Maine Technology Institute.

2. Targeted technologies. "Targeted technologies" means biotechnology, aquaculture and marine technology, composite materials technology, environmental technology, advanced technologies for forestry and agriculture, information technology and precision manufacturing technology. These targeted technologies may be amended only by the Legislature.

§15302. Maine Technology Institute

1. Establishment. The Maine Technology Institute, as established in section 12004-G, subsection 33-D, is a nonprofit corporation with public and charitable purposes. The duties, activities and operations of the institute are within the provisions of the federal Internal Revenue Code, Section 501(c)(3).

2. Purpose. The institute, through a public and private partnership, shall encourage, promote, stimulate and support research and development activity leading to the commercialization of new products and services in the State's technology-intensive industrial sectors to enhance the competitive position of those sectors and increase the likelihood that one or more of the sectors will support clusters of industrial activity and to create new jobs for Maine people. The institute is one element of the State's economic development strategy and will contribute to the long-term development of a statewide research, development and product deployment infrastructure.

3. Board of Directors of the Maine Technology Institute. The institute is governed and all of its powers exercised by a board of directors, referred to in this chapter as the "board," consisting of 11 voting members and 3 nonvoting members.

A. The Governor shall appoint 9 voting directors, 7 of whom must be representatives of targeted technologies. The other 2 directors must have demonstrated significant experience in finance, lending or venture capital. In making the appointments from targeted technologies, the Governor shall consider recommendations submitted by representatives of targeted technology sectors. Directors of the board appointed by the Governor are entitled to receive reimbursement at the legislative rate for necessary expenses for

their attendance at authorized meetings of the board.

B. The Commissioner of Economic and Community Development or the commissioner's designee and the Chancellor of the University of Maine System or the chancellor's designee are ex officio voting directors.

C. The President of the Maine Science and Technology Foundation or the president's designee and the Director of the State Planning Office or the director's designee are ex officio nonvoting directors.

D. The Maine Technology Institute Director is a nonvoting director.

4. Terms. Directors of the board appointed by the Governor are appointed for 3-year terms. The terms of the initial appointments are staggered as follows: Three are one-year terms, 3 are 2-year terms and 3 are 3-year terms. Those directors may serve no more than 2 consecutive terms. Directors who serve on the board by virtue of their offices serve terms coincident with their terms in office.

5. Chair; vice-chair; secretary; treasurer. The board shall elect a chair, a vice-chair, a secretary and a treasurer from among its members. Each officer serves for a one-year term and is eligible for reelection.

6. President. The Maine Technology Institute Director at the Department of Economic and Community Development serves as president of the institute upon confirmation by the board. Once every 2 years, the Governor shall submit the Maine Technology Institute Director's name to the board for reappointment. Reappointment is subject to confirmation by the board. The president shall:

A. Serve as the liaison between the board and the targeted technology boards;

B. Manage the institute's programs, services and staff; and

C. Perform other duties the board considers appropriate.

7. Quorum. A majority of the voting directors constitutes a quorum.

8. Executive committee. The board may elect an executive committee of not fewer than 6 members who, in intervals between meetings of the board, may transact such business of the institute as the board may authorize from time to time.

9. Annual report. By October 15th of each year, the institute shall provide an annual report on its

activities to the joint standing committee or joint select committee of the Legislature having jurisdiction over research and development matters. The institute shall also submit unaudited quarterly financial reports to the joint standing committee or joint select committee of the Legislature having jurisdiction over research and development matters.

10. Independent evaluation. By January 14, 2000 and by January 15th of every odd-numbered year, starting in 2001, the institute shall submit to the joint standing committee or joint select committee of the Legislature having jurisdiction over research and development matters an independent evaluation of the performance of the institute. The evaluation must measure firm survival, new product development and process innovations, jobs created and other measures that the evaluator, in consultation with the institute, may establish. The evaluation must consider the institute's strategic role in stimulating economic growth in Maine's targeted technologies.

§15303. Duties of institute

1. Fiscal agent for public investments in private research and development. The institute is the fiscal agent of the State for all funds appropriated or allocated to the institute. Fiscal duties include the disbursement of funds through grants to private companies, targeted technology incubators and nonprofit research laboratories. Other duties include the accounting, evaluation and monitoring of all activities of the institute and all programs funded in whole or in part by grants from the institute. The institute may fund necessary precursors to commercialization of products and services, including the development of new technologies and processes, the development of product concepts and the manufacture of prototypes.

2. Targeted technology boards. The institute shall work directly with and provide staffing to targeted technology sectors to stimulate and manage the research and development grant process in private companies through technology-specific boards, which are subsidiaries of the board consisting of private sector representatives, scientists and others determined appropriate by representatives of the targeted technology sectors. If the institute's board determines it necessary, the institute shall provide start-up organizational and development grants to those targeted technology sectors. Each technology board may establish goals and objectives for its sector based on state economic development goals, establish research and development priorities, help companies network with each other and advise them on funding opportunities and on the availability of other support services, prepare criteria by which to evaluate proposals, solicit and receive competitive funding proposals, arrange for peer reviews and screen proposals and select those to

be forwarded to the board for final evaluation. The board may delegate, based on conditions it determines appropriate, partial or full regranting authority to those technology boards that have demonstrated capacity to execute grants that are likely to lead to commercialization of a new technology or product.

3. Measures of performance. The institute shall develop quantifiable measures of performance to which it will hold all grantees accountable, including, but not limited to, the number of new jobs created by the grant, the amount of sales generated, the number of patents produced and the amount of corporate income taxes paid, and shall require all grantees to report regularly to the institute on those measures during the grant period and for 5 years following the end of the grant period.

4. Adoption of bylaws. The institute shall adopt bylaws, through the board, consistent with this chapter for the governance of its affairs.

5. Employees. The institute shall fix, through the board, the compensation of all employees of the institute.

6. Cooperation with associated organizations and the University of Maine System. The institute, in implementing its powers and duties:

A. Shall foster strategic considerations of economic development in the allocation of resources among the targeted technology sectors and promote activities that cut across technologies and achieve competitive advantages for Maine;

B. Shall ensure that the institute's programs reflect the policies as described in the State's science and technology plan developed by the Maine Science and Technology Foundation and consult with the Maine Science and Technology Foundation in the formation of those programs;

C. Shall collaborate with the University of Maine System on the development and annual update of an outcome-based 5-year technology plan that integrates private sector commercialization in the targeted technologies with university-sponsored research and development;

D. Shall coordinate its priorities with the applied research and development efforts of the University of Maine System insofar as those efforts are in the targeted technologies and encourage, when possible and appropriate, companies and research laboratories receiving funds from the institute to establish joint ventures with the university system; and

E. Shall cooperate with the Department of Economic and Community Development, the Maine

Science and Technology Foundation, the Maine Manufacturing Extension Program, the University of Maine System and others in their efforts to ensure that a complementary system of support services, including, as needed and appropriate, incubators, business assistance, technology transfer, market research, patent research and similar services, is in place and available to companies and research laboratories receiving funds from the institute.

7. Other duties. The institute shall do all things necessary or convenient to carry out the lawful purposes of the institute under this chapter.

§15304. Powers of institute

The institute may:

1. Suit. Sue or be sued in its own name:

2. Application for and receipt of funds. Apply for and receive funds from any private source or governmental entity, whether by way of grant, donation or loan or in any other manner. The State Controller shall pay the institute's total state allotment for each fiscal year to the institute on July 1st of that year, and these funds are nonlapsing;

3. Invest funds. Invest, reinvest and use on behalf of the institute for any of its purposes funds received from any source for carrying out this chapter, including the use of funds for program and administrative costs, and expend interest earnings on those funds as appropriate to implement this chapter;

4. Real and personal property. Purchase, seek, receive, hold, lease, acquire by foreclosure, operate, manage, license, sell, convey, transfer, grant or lease real and personal property, together with those rights and privileges that may be incidental and appurtenant to the property and the use of the property, including, but not limited to, any real or personal property acquired by the institute from time to time in the satisfaction of debts or enforcement of obligations;

5. Expenditures and obligations regarding real and personal property. Make all expenditures and incur any obligations reasonably required in the exercise of sound business principles to secure possession of, preserve, maintain, insure and improve real and personal property or interests in real and personal property acquired by the institute;

6. Securities. Acquire, subscribe to, own, hold, sell, assign, transfer, mortgage or pledge the stock, shares, bonds, debentures, notes or other securities and evidences of interest in or indebtedness of any person, firm, corporation, joint stock company, partnership, association or trust and, while the owner or holder

thereof, exercise all the rights, powers and privileges of ownership, including the right to vote;

7. Encumbrance of property. Mortgage, pledge or otherwise encumber any property right or thing of value acquired pursuant to the powers contained in subsection 3, 4 or 5 as security for the payment of any part of the purchase price of the property right or thing of value;

8. Equity investments; loans; contractual arrangements. In addition to disbursement of funds through grants as described in section 15303, make alone or in participation or cooperation with others direct equity investments in, loans to or any other contractual arrangement allowed by law with private companies, targeted technology incubators and nonprofit research laboratories for the same purposes for which grants may be made. For each disbursement of funds made by the institute, the institute shall require satisfactory evidence of matching funds in cash in an amount equal to the state funds invested in whatever form by the institute in eligible recipients. Matching funds may be in the form of debt or equity, but must be at risk in the business for a minimum of 5 years;

9. Royalties. Establish and execute a policy on royalties;

10. Employees; contracts and liabilities. Hire and compensate employees, make contracts for goods or services and incur liabilities with respect to the same with any entity for any of the purposes described by those contracts and authorized by this chapter;

11. Debt. Borrow money for any of the purposes authorized in this chapter, incur debt, which includes the issuance of bonds, debt, notes or other evidences of indebtedness, whether secured or unsecured, and secure the same by mortgage, pledge, deed of trust or other lien on the institute's property, rights and privileges of every kind and nature or any part of or interest in any of them;

12. Seal. Have and use a corporate seal;

13. Pension plans; insurance. Establish and carry out pension plans, profit sharing plans and other retirement, incentive or insurance plans for any of its employees; and

14. Other powers. Act or do anything necessary or useful for carrying out any of its powers, duties or purposes.

§15305. Limitation of powers

The institute may not enter into contracts, obligations or commitments of any kind on behalf of the State or any of its agencies, nor does it have the power

of eminent domain or any other power not provided to business corporations generally. Bonds, notes and other evidences of indebtedness of the institute may not in any way be a debt or liability of the State or constitute a pledge of the faith and credit of the State. The institute may not expend more than 7% of funds appropriated per biennium by the State for management and related operating costs of the institute.

§15306. Liability of officers, directors and employees

All officers, directors, employees and other agents of the institute entrusted with the custody of the securities of the institute or authorized to disburse the funds of the institute must be bonded either by a blanket bond or by individual bonds with a minimum limitation of \$100,000 coverage for each person covered by the bond or bonds, conditioned upon the faithful performance of their duties. The premiums for the bond or bonds must be paid out of the assets of the institute.

§15307. Prohibited interests of officers, directors and employees

An officer, director or employee of the institute or a spouse or dependent child of any of those individuals may not receive any direct personal benefit from the activities of the institute in assisting any private entity. This section does not prohibit corporations or other entities with which an officer or director is associated by reason of ownership or employment from participating in science and technology activities with the institute if ownership or employment is made known to the board and the officer or director abstains from voting on matters relating to that participation. This prohibition does not extend to corporators who are not officers or directors of the institute.

§15308. General conditions; dissolution

The institute shall operate as a nonprofit organization consistent with its composition and broad public purposes. The following conditions apply to the operation or dissolution of the institute.

1. Net earnings of institute. No part of the net earnings of the institute may benefit any member, officer, director or employee except that the institute may pay reasonable compensation for services rendered and otherwise hold, manage and dispose of its property in furtherance of the purposes of the institute.

2. Dissolution of institute. The institute and its corporate existence are terminated on December 31, 2006. On that date, all property purchased with General Fund money and unexpended General Fund appropriations must be transferred to the State before paying or making provision for the payment of all

other liabilities of the institute. All other property and unexpended funds must be handled according to the provisions outlined in the bylaws of the institute.

§15309. Liberal construction

This chapter must be construed liberally to effect the interest and purposes of the institute for an improved science and technology capacity-building effort in the State and must be broadly interpreted to effect that intent and those purposes.

Sec. AAA-4. 10 MRSA §947, sub-§3, as enacted by PL 1997, c. 556, §3, is amended to read:

3. Target areas. "Target areas" ~~mean~~ means the ~~following economic sectors targeted technologies identified in Title 5, chapter 407~~ for which applied research and development is considered most likely to produce significant benefits to the people and economy of the State:

- ~~A. Aquaculture and marine sciences and technology;~~
- ~~B. Biotechnology;~~
- ~~C. Composite materials engineering;~~
- ~~D. Environmental sciences and technology; and~~
- ~~E. Information sciences and technology.~~

Sec. AAA-5. 10 MRSA §948, sub-§1, ¶F, as repealed and replaced by PL 1997, c. 683, Pt. A, §4, is amended to read:

F. Providing an annual report to the Governor and the Legislature by January 1st of each regular session of the Legislature setting forth:

- (1) ~~The operations and accomplishments of the fund during the fiscal year; and~~
- (2) ~~The assets and liabilities of the fund at the end of its most recent fiscal year; and~~
- (3) The annual measurable goals and objectives of the fund, as established by the board, and an assessment of the achievement of those goals and objectives. The goals and objectives must include, but may not be limited to, education, research and development; and

Sec. AAA-6. Board of Directors of the Maine Technology Institute minutes. Until December 30, 2000, the Board of Directors of the Maine Technology Institute shall submit to the joint standing or the joint select committee of the Legislature having jurisdiction over research and development matters minutes of each board meeting. The

minutes must be submitted within 30 days following each meeting.

Sec. AAA-7. Transition. Funding of Centers for Innovation must continue through June 30, 2001. It is the intent of the Legislature that the period between the effective date of this Part and June 30, 2001 serve as a transition and planning period until technology boards can be established.

PART BBB

Sec. BBB-1. 5 MRSA §13122-J is enacted to read:

§13122-J. Comprehensive research and development evaluation

The foundation shall develop and submit to the Governor and the Legislature by December 31, 1999 and on the first day of each legislative session every 5 years thereafter an evaluation of state investments in research and development. The evaluation must:

1. Outcome measures. Establish outcome measures considered appropriate by public and private practitioners in and outside of the State in the fields of research and development and economic development. Practitioners in this State must include, but not be limited to, a representative from the University of Maine System, a representative of the targeted technology sectors, a representative of the Department of Economic and Community Development and representatives of other state agencies having economic development responsibility;

2. Independent reviewers. Utilize nationally recognized independent reviewers to assess the competitiveness of technology sectors in this State and the impact of research and development activities in this State on economic development in this State; and

3. Recommendations. Include recommendations to the Legislature on existing and proposed state-supported research and development programs and activities to affect technology-based economic development in this State.

Sec. BBB-2. Plan for comprehensive evaluation of research and development investments. By December 31, 1999 the Maine Science and Technology Foundation shall submit to the Joint Select Committee on Research and Development a plan for a comprehensive evaluation of state investments in research and development. The plan must be developed collaboratively by public, private and nonprofit entities.

PART CCC

Sec. CCC-1. 5 MRSA §13131, as enacted by PL 1995, c. 445, §2, is amended to read:

§13131. Establishment of the Maine Technology Capacity Fund

The Maine Technology ~~Investment~~ Capacity Fund is established within the Maine Science and Technology Foundation to strengthen employment opportunities in the State by increasing the science and technology investment level through partnerships among the State Government, private enterprise, the Federal Government and private and public research institutions. The fund may be used to match ~~federal, foundation or other grants and to invest directly in market oriented technology extension, commercialization and development opportunities~~ public and private funds that provide program or consulting resources to targeted technology sectors to increase their capacity to develop into industry clusters. The fund may also be used to support best-practice studies or to provide technical assistance on a contractual basis to enhance the capacity of the targeted technology sectors to develop into industry clusters.

1. Definitions. As used in this section, unless the context otherwise indicates, the following terms have the following meanings.

A. "Enterprise" means a firm doing business in this State that is engaged or proposes to be engaged in this State in value-added agricultural, natural resource-based or other manufacturing, research and development, or in the provision of knowledge-based services.

B. "Fund" means the Maine Technology ~~Investment~~ Capacity Fund.

C. "Intellectual property" means any legal protectable materials, including any new information, technologies, inventions, designs, works of authorship, any strain, variety or culture of an organism, or any portion, modification, translation or extension of these items, any processes, mineral discoveries and other legally protectable materials, including know-how and trade secrets, that are generated as a direct and indirect result of investments made by the foundation through contracts, grants or any other legal agreement.

D. "Protection of intellectual property rights" means protecting the foundation's rights to intellectual property through intellectual property protection mechanisms, including, but not limited to, patents, copyrights, trademarks, trade secrets and licensing rights.

E. "Technology commercialization" means the process of bringing an investment-grade technology out of an enterprise or a private or public laboratory for first-run application in the marketplace.

F. "Technology development" means strategically focused research aimed at developing investment-grade technologies essential to market competitiveness. "Technology development" does not refer to basic research, but rather to products, devices, techniques or processes that have advanced beyond the theoretical stage and are in a prototype or industry practice stage.

G. "Technology extension" means the introduction and adaptation of off-the-shelf technologies and state-of-the-art management practices to the specific circumstances of individual firms.

2. Organization. The board of directors of the foundation has all the powers and authority, not explicitly prohibited by law, necessary or convenient to carry out and effectuate the functions, duties and responsibilities of the fund, including, but not limited to:

A. Taking actions in partnership with private enterprise, the Federal Government and private and public research institutions to:

(1) Increase the rate of technology extension across manufacturing and other knowledge-based firms throughout the State;

(2) Increase the amount of technology development occurring in the State; and

(3) Increase the rate at which technologies with potential commercial application are moved out of private and public laboratories into the marketplace;

B. Soliciting, borrowing, accepting and receiving money from any public or private source to augment state contributions to the fund;

C. Approving an annual budget for the fund and investing and expending money from within the fund;

D. Contracting with public entities as necessary to further the directives of this section;

E. Carrying forward any unexpended state appropriations into succeeding fiscal years;

F. Providing an annual report to the Governor and the Legislature by January 1st of each regular session of the Legislature within the annual report of the foundation, setting forth:

(1) The operations and accomplishments of the fund during the fiscal year; and

~~(2) A capitalization target for the fund to enable the State to achieve and maintain competitiveness with other states;~~

(3) The assets and liabilities of the fund at the end of its most recent fiscal year; and,

~~(4) The operations, costs and net income or loss of the direct investment pool as described in subsection 3 and federal and nonstate matching funds;~~

G. Owning intellectual property, licensing intellectual property, and negotiating for and collecting royalty rights or otherwise realizing a return on investment made under the fund and all programs of the foundation when appropriate in order to promote the interests and investments of the State in furthering science and technology; and

H. Protecting all proprietary information contained in proposals, contracts and grants or any other legal agreement only when such information is likely to involve patentable material that loses its protectable nature when presented in a public forum.

3. Authorized activities. The board of directors of the foundation ~~shall allocate the resources of the fund to, and has the power to transfer resources between~~ may undertake the following activities:

A. Matching grants activities, including, but not limited to, federal, private and foundation awards for technology extension, science and technology development and technology commercialization activities that require state funding matches and are considered consistent with the purposes of the fund. Focus areas for investment include, but are not limited to: ~~marine sciences and technologies; environmental sciences, technologies and engineering; sensor and materials sciences and technologies; wood science and engineering; genetics and immunology; and metals and electronics; and~~ targeted technologies as defined in chapter 407.

~~B. Direct investment activities that demonstrate and develop effective approaches to commercially oriented science and technology development and commercialization efforts conducted collaboratively among the State Government, as represented by the fund, private enterprise, the Federal Government and private and public research institutions in accordance with the following:~~

~~(1) The board of directors of the foundation shall direct funds to commercial activities with high growth potential, including, but not limited to, agriculture, food processing and sustainable fisheries, including aquaculture; electronics and metals manufacturing; energy and environmental technologies; biotechnology, biomedicine and biomaterials from the sea; and forest products;~~

~~(2) Separate accounts must be established by the foundation for the direct investment pool. The board of directors of the foundation shall endeavor to maintain the resources dedicated to direct investment activities as a self-supporting pool once the pool and the overall fund have been sufficiently capitalized as reflected in the annual report;~~

~~(3) The foundation shall limit its direct investment activities to qualified securities in private enterprises or public or private laboratories in this State. Qualified securities include loans, royalty agreements or any other contractual arrangement allowed by law between the foundation and a federal, state, county or municipal agency, or any individual, corporation, enterprise, association or other entity involving technology development; and~~

~~(4) The foundation shall, from time to time, release a program solicitation that describes eligible activities and eligible organizations. All proposal and review criteria, procedures and schedules must be included in the program solicitation.~~

4. Guidelines. The board of directors of the foundation shall establish guidelines for:

A. The amounts of the revenues generated by the investment of money contained in the fund that may be used to pay the foundation's operating expenses associated with the operation of the fund. The operating expenses may not exceed the indirect cost rate negotiated between the foundation and its cognizant federal agency; and

B. Cash and in-kind match requirements based on the activities to be supported with the fund. The foundation shall strive to achieve a minimum match of 1:1, on an annual basis, for matching grant activities supported under the fund.

5. Liquidation and dissolution. In the event of liquidation or dissolution of the foundation or the fund, any rights or interests in a qualified security or

portion of a qualified security purchased with money invested by the State vest in the State. The State is entitled to, in proportion to the amount of investment in the fund by the State, any balance of money remaining in the fund after payment of all debts and obligations upon liquidation or dissolution of the foundation or the fund.

Sec. CCC-2. Transition. The Maine Technology Institute established in Part AAA of this Act is the successor to the Maine Technical Investment Fund with respect to direct investment activities. The following provisions apply to the transfer of direct investment activities from the Maine Technology Investment Fund to the Maine Technology Institute.

1. The Maine Technology Fund shall cease making direct investments in companies on the effective date of this Act.

2. Direct investments in companies made by the Maine Technology Investment Fund prior to the effective date of this Act will continue to be managed by the Maine Science and Technology Foundation until June 30, 2000, at which time the management of the investments must be assumed by the Maine Technology Institute and the following transfers must occur.

A. All responsibilities, power and authority relating to direct investment activities vested in the Maine Technology Investment Fund on June 30, 2000 are transferred to the Maine Technology Institute.

B. All rules, procedures and guidelines in effect, in operation or adopted on June 30, 2000 by the Maine Technology Investment Fund regarding direct investment activities remain in effect until rescinded, revised or amended by the Maine Technology Institute.

C. All contracts, agreements and compacts regarding direct investments in effect on June 30, 2000 involving the Maine Technology Investment Fund remain in effect until rescinded, revised or amended by the Maine Technology Institute.

D. All records, property, equipment, contracts, compacts, data and agreements allocated for the use of the Maine Technology Investment Fund necessary for performing the direct investment activities are transferred to the Maine Technology Institute.

PART DDD

Sec. DDD-1. P&SL 1955, c. 186, §1, first sentence, as amended by PL 1991, c. 592, Pt. D, §11, is repealed.

Sec. DDD-2. Effective date. This Part takes effect October 1, 2000.

PART EEE

Sec. EEE-1. Telecommunications Personal Property Tax Reserve; established. There is established in the General Fund the Telecommunications Personal Property Tax Reserve. The purpose of this reserve is to accumulate funds to eliminate the practice of accruing revenue from the Telecommunications Personal Property Tax prior to the fiscal year in which the revenue is collected and the required prepayment of 1/2 of the estimated tax for the next year. Any funds remaining in the Telecommunications Personal Property Tax Reserve at the end of each fiscal year must be carried forward to be used for the same purposes. Expenditures may not be made from this reserve without further authorization of the Legislature.

Sec. EEE-2. Funding of Telecommunications Personal Property Tax Reserve. Notwithstanding any other provision of law, at the close of fiscal year 1998-99, the State Controller shall transfer from the unappropriated surplus of the General Fund an amount not to exceed \$30,000,000 to the Telecommunications Personal Property Tax Reserve from the available balance remaining in the General Fund as the next priority after the State Contingent Account, as established in the Maine Revised Statutes, Title 5, section 1507, is replenished.

Sec. EEE-3. Report. The State Tax Assessor shall report to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Taxation by January 14, 2000 on the financial status of the reserve and submit any implementing legislation to eliminate the practice of accruing the revenue from the Telecommunication Personal Property Tax prior to the fiscal year in which the revenue is collected and the requirement of prepaying 1/2 of the estimated tax for the next year.

PART FFF

Sec. FFF-1. 5 MRSA §20065, sub-§1, as enacted by PL 1993, c. 410, Pt. LL, §12, is amended to read:

1. Members; appointment. The Substance Abuse Services Commission, as established by section 12004-G, subsection 13-C, consists of ~~17~~ 21 members.

Sec. FFF-2. 5 MRSA §20065, sub-§3, ¶A, as enacted by PL 1993, c. 410, Pt. LL, §12, is repealed and the following enacted in its place:

A. One member of the Senate, appointed by the President of the Senate, and 5 members of the Legislature who may be members of either the

Senate or the House of Representatives, appointed by the President of the Senate if Senators or the Speaker of the House if members of the House of Representatives and 2 of these 5 at-large members of the Legislature must be members of the joint standing committee of the Legislature having jurisdiction over health and human services matters;

Sec. FFF-3. 5 MRSA §20067, sub-§4 is enacted to read:

4. Report to the Legislature. The commission shall report annually to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs on or before the last business day of each year. The report must include developments and needs related to drug abuse prevention, including alcoholism and intoxication, and significant policy matters relating to substance abuse.

PART GGG

Sec. GGG-1. 5 MRSA §1513, sub-§1, as amended by PL 1997, c. 643, Pt. E, §1, is further amended to read:

1. Maine Rainy Day Fund. The State Controller shall at the close of each fiscal year transfer from the unappropriated surplus of the General Fund to the Maine Rainy Day Fund 1/2 the excess of total General Fund revenues received over accepted estimates in that fiscal year. Accepted revenue estimate may not be increased after adjournment of each First Regular Session of the Legislature except as provided. For the first year of the biennium, revenue estimates for the 2nd year of the biennium may be adjusted once during the Second Regular Session of the Legislature. Accepted revenue estimates may be increased for other fiscal periods only if an amount not to exceed 1/2 of the increase is transferred by the State Controller to the Rainy Day Fund at the same time from the unappropriated surplus of the General Fund. The fund may not exceed ~~5%~~ 6% of the total General Fund revenues received in the immediately preceding fiscal year and may not lapse, but remain in a continuing carrying account to carry out the purposes of this section. A reduction in the fund is not necessary in the event the total General Fund revenues received in the immediately preceding fiscal year are less than the total General Fund revenues received in the fiscal year 2 years previous and if the fund is at its ~~5%~~ 6% limit.

Sec. GGG-2. Retroactivity. This Part applies retroactively to June 30, 1999.

PART HHH

Sec. HHH-1. 5 MRSA §135, first ¶, as amended by PL 1995, c. 368, Pt. ZZ, §1, is further amended to read:

The Treasurer of State may deposit the money, including trust funds of the State, in any of the banking institutions or trust companies or state or federal savings and loan associations or mutual savings banks organized under the laws of this State or in any national bank or banks or state or federal savings and loan associations located in the State, except as provided in chapter 161. Before making a deposit, the Treasurer of State must consider the rating of the banking institution, trust company, state or federal savings and loan association or mutual savings bank on its most recent assessment conducted pursuant to the federal Community Reinvestment Act, 12 United States Code, Section 2901. When there is excess money in the State Treasury that is not needed to meet current obligations, the Treasurer of State may invest, with the concurrence of the State Controller or the Commissioner of Administrative and Financial Services and with the consent of the Governor, those amounts in bonds, notes, certificates of indebtedness or other obligations of the United States and its agencies that mature not more than 24 months from the date of investment or in repurchase agreements secured by obligations of the United States and its agencies that mature within the succeeding 24 months, prime commercial paper, tax-exempt obligations, banker's acceptances or shares of an investment company registered under the federal Investment Company Act of 1940, whose shares are registered under the United States Securities Act of 1933, only if the investments of the investment company are limited to obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States or repurchase agreements secured by obligations of the United States or any agency or instrumentality, corporate or otherwise, of the United States. The Treasurer of State may participate in the securities loan market by loaning state-owned bonds, notes or certificates of indebtedness of the Federal Government, only if loans are fully collateralized by treasury bills or cash. The Treasurer of State shall seek competitive bids for investments except when, after a reasonable investigation, it appears that an investment of the desired maturity is procurable by the State from only one source. Interest earned on those investments of money must be credited to the respective funds, except that interest earned on investments of special revenue funds must be credited to the General Fund of the State. Effective July 1, 1995, interest earned on investments of the Highway Fund must be credited to the Highway Fund. Interest earned on funds of the Department of Inland Fisheries and Wildlife must be credited to the General Fund. Interest earned on funds of the Baxter State Park Authority must be credited to

the Baxter State Park Fund. This section does not prevent the deposit for safekeeping or custodial care of the securities of the several funds of the State in banks or safe deposit companies in this State or any other state, nor the deposit of state funds required by the terms of custodial contracts or agreements negotiated in accordance with the laws of this State. All custodial contracts and agreements are subject to the approval of the Governor.

PART III

Sec. III-1. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	1999-00	2000-01
MAINE HEALTH DATA ORGANIZATION		
Maine Health Data Organization		
Positions - Legislative Count	(1,000)	(1,000)
Personal Services	\$55,906	\$56,380
Provides funds for one Principal Health Care Specialist position to assist hospitals and nonhospital health care providers with the submittal of their outpatient and ambulatory services data and to utilize the data and develop analytical reports for distribution to the public.		

PART JJJ

Sec. JJJ-1. 20-A MRSA §7411 is enacted to read:

§7411. Emergency power

Notwithstanding any other provision of law, the commissioner may assume and exercise the authority of the school board if the commissioner declares an emergency exists such that the health, safety or welfare of students in academic, extracurricular or residential programs is in jeopardy or the school is in substantial and persistent violation of federal and state law. The commissioner's declaration of an emergency is not reviewable, but the commissioner shall exercise this emergency authority for a period not to exceed 3 months unless the commissioner again declares that an emergency continues.

Sec. JJJ-2. Nonlapsing funds. Notwithstanding any other provision of law, an amount not to exceed \$100,000 of General Fund appropriations in

the Personal Services line category remaining on June 30, 1999 in the Governor Baxter School for the Deaf program in the Department of Education may not lapse but must be carried forward to fiscal year 1999-00 to be transferred by the State Controller to the General Fund, Bureau of Human Resources program in the Department of Administrative and Financial Services as unallocated resources. These funds may be allotted by financial order in the Personal Services and All Other line categories upon the recommendation of the State Budget Officer and approval of the Governor to support the improved management and operation of the Governor Baxter School for the Deaf.

PART KKK

Sec. KKK-1. 22 MRSA §254, as amended by PL 1997, c. 643, Pt. RR, §§1 and 2, is further amended to read:

§254. Elderly low-cost drug program

The Department of Human Services may conduct a program to provide low-cost prescription and nonprescription drugs, medication and medical supplies to disadvantaged, elderly and disabled individuals. ~~In any year in which this program is conducted, it must include any prescription drugs used for the treatment of chronic obstructive lung disease.~~

~~In any year in which this program is conducted, it must include antiarthritic drugs.~~

~~In any year in which this program is conducted, it must include anticoagulant drugs.~~

The commissioner shall provide for sufficient personnel to ensure efficient administration of the program. The extent and the magnitude of the program ~~shall~~ must be determined by the commissioner on the basis of the calculated need of the recipient population and the available funds. The department may not spend more on this program than is available through appropriations from the General Fund, dedicated revenue, federal or other grants and other established and committed funding sources. The commissioner may accept, for the purposes of carrying out this program, federal funds appropriated under any federal law relating to the furnishing of free or low-cost drugs to disadvantaged, elderly and disabled individuals and may take such action as is necessary for the purposes of carrying out that federal law and may accept from any other agency of government, individual, group or corporation such funds as may be available to carry out this chapter.

The commissioner may adopt rules relating to the conduct of this program. These rules ~~shall~~ must be ~~promulgated~~ adopted in accordance with the Maine Administrative Procedure Act, Title 5, chapter 375,

and ~~shall~~ must be related to the following aspects of this program:

1. Prescription and nonprescription drugs.

The kinds of prescription and nonprescription drugs, medications and medical supplies ~~which that~~ may be made available through the operation of this program. Drugs and medications must be provided for the conditions and illnesses provided in this subsection.

A. The basic component of the program must provide drugs and medications for cardiac conditions and high blood pressure, diabetes, arthritis, anticoagulation, hyperlipidemia, osteoporosis, chronic obstructive pulmonary disease and asthma, incontinence, thyroid diseases, glaucoma, parkinson's disease, multiple sclerosis and amyotrophic lateral sclerosis.

B. Beginning October 1, 1999, in the supplemental component of the program, drugs and medications must include all prescription drugs and medications provided under the Medicaid program under this Title with the exception of drugs and medications provided by the basic component of the program under paragraph A;

2. Income eligibility. ~~Eligibility status~~ Income eligibility of individuals ~~shall must~~ be determined by ~~the State Tax Assessor pursuant to Title 36, chapter 905 this subsection and by reference to the federal nonfarm income official poverty level, as defined by the federal Office of Management and Budget and revised annually in accordance with the United States Omnibus Budget and Reconciliation Act of 1981, Section 673, Subsection 2. If the household income, as defined in subsection 9, is less than 185% of the federal poverty line applicable to the household, the individual is eligible for the basic and the supplemental program. Individuals are also eligible for the basic program and the supplemental program if the household spends at least 40% of its income on unreimbursed direct medical expenses for prescription drugs and medications and the household income is not more than 25% higher than the levels specified in this subsection. For the purposes of this subsection, the cost of drugs provided to a household under this section is considered a cost incurred by the household for eligibility determination purposes;~~

3. Specifications for administration of program. Specifications for the administration and management of the program, which may include, but not be limited to, program objectives, accounting and handling practices, supervisory authority and evaluation methodology;

4. Method of prescribing or ordering drugs.

The method of prescribing or ordering these drugs, which may include, but is not limited to, the use of standard or larger prescription refill sizes so as to

minimize operational costs and to maximize economy. Unless the prescribing physician indicates otherwise, the use of generic or chemically equivalent drugs is required, provided that these drugs are of the same quality and have the same mode of delivery as is provided to the general public, consistent with good pharmaceutical practice. Each prescription filled must be for a supply of 90 days unless the prescribing physician or the recipient requests otherwise;

4-A. Payment for drugs provided. The commissioner may establish the amount of payment to be made by recipients toward the cost of prescription or nonprescription drugs, medication and medical supplies furnished under this program provided that, for persons at or below 185% of the federal poverty line, the total cost for any covered purchase of a prescription or nonprescription drug or medication provided under the basic component of the program does not exceed 20% of the price allowed for that prescription under program rules or \$2, whichever is greater. If a recipient is prescribed a drug in a quantity specifically intended by the provider or pharmacist, for the recipient's health and welfare, to last less than one month, only one payment for that drug for that month is required. For the supplemental component of the program, the total cost paid by the program for any covered purchase of a prescription drug or medication may not exceed \$2. For the supplemental component of the program, the total cost paid by the individual for any covered purchase of a prescription drug or medication may not exceed the cost of the program for that drug or medication minus the \$2 paid by the program;

5. Other rules. Such other rules as may be necessary to efficiently and effectively manage and operate a program within the intent of this section;

7. Wholesale price. "Wholesale price" means the average price paid by a wholesaler to a pharmaceutical manufacturer for a product distributed for retail sale. "Wholesale price" includes a deduction for any customary prompt payment discounts;

8. Drug rebate program. Effective May 1, 1992, payment must be denied for drugs from manufacturers that do not enter into a rebate agreement with the department for prescription drugs included in the list of approved drugs under this program. Each agreement must provide that the pharmaceutical manufacturer make rebate payments for both the basic and supplemental components of the program to the department according to the following schedule.

A. For the period beginning May 1, 1992 and ending September 30, 1992, the rebate percentage is equal to 11% of the manufacturer's wholesale price for the total number of dosage units of

each form and strength of a prescription drug that the department reports as reimbursed to providers of prescription drugs, provided payments are not due until 30 days following the manufacturer's receipt of utilization data supplied by the department, including the number of dosage units reimbursed to providers of prescription drugs during the period for which payment is due.

B. For the quarters beginning October 1, 1992, the rebate percentage is equal to the percentage recommended by the federal Health Care Financing Administration of the manufacturer's wholesale price for the total number of dosage units of each form and strength of a prescription drug that the department reports as reimbursed to providers of prescription drugs, provided payments are not due until 30 days following the manufacturer's receipt of utilization data supplied by the department, including the number of dosage units reimbursed to providers of prescription drugs during the period for which payments are due.

C. Beginning October 1, 1998, the department shall seek to achieve an aggregate rebate amount from all rebate agreements that is 6 percentage points higher than that required by paragraph B of this subsection, provided such rebates result in a net increase in the rebate revenue available to the elderly low-cost drug program. In the event the department is not able to achieve the rebate amount required by this paragraph without compromising the best interest of recipients of the elderly low-cost drug program, it shall report to the joint standing committee of the Legislature having jurisdiction over health and human services matters and the joint standing committee of the Legislature having jurisdiction over appropriations and financial affairs in the First Regular Session of the 119th Legislature.

Upon receipt of data from the department, the pharmaceutical manufacturer shall calculate the quarterly payment. If a discrepancy is discovered, the department may, at its expense, hire a mutually agreed-upon independent auditor to verify the pharmaceutical manufacturer's calculation. If a discrepancy is still found, the pharmaceutical manufacturer shall justify its calculation or make payment to the department for any additional amount due. The pharmaceutical manufacturer may, at its expense, hire a mutually agreed-upon independent auditor to verify the accuracy of the utilization data provided by the department. If a discrepancy is discovered, the department shall justify its data or refund any excess payment to the pharmaceutical manufacturer.

If the dispute over the rebate amount is not resolved, a request for a hearing with supporting documentation must be submitted to the Administrative Hearings Unit. Failure to resolve the dispute may be cause for terminating the drug rebate agreement and denying payment to the pharmaceutical manufacturer for any drugs.

All prescription drugs of a pharmaceutical manufacturer who enters into an agreement pursuant to this subsection that appear on the approved list of drugs must be immediately available and the cost of the drugs must be reimbursed and is not subject to any restrictions or prior authorization requirements. Any prescription drug of a manufacturer that does not enter into an agreement is not reimbursable unless the department determines the prescription drug is essential. ~~The department shall seek a manufacturer's rebate for pharmaceuticals used in the Maine Health Program.~~

9. Household income. "Household income," for the purposes of this section, means all income, as defined in Title 36, section 6201, subsection 9, received by all persons of a household in a calendar year while members of the household; and

10. Eligible individuals. To be eligible for the program, an individual must be:

A. At least 62 years of age; or

B. Nineteen years of age or older and determined to be disabled by the standards of the federal social security program.

Sec. KKK-2. 22 MRSA §3174-G, sub-§1-A, as enacted by PL 1997, c. 643, Pt. RR, §4, is repealed and the following enacted in its place:

1-A. Elderly prescription drug program. The department shall apply to the federal Health Care Financing Administration for a waiver authorizing the department to provide Medicaid prescription drug benefits to qualified persons who are 62 years of age or older or who are 19 years of age or older and determined by the department to be disabled under the standards of the federal social security program and who have household income up to and including 185% of the nonfarm income official poverty line. If sufficient funds are not allocated or appropriated to provide prescription drug coverage under this subsection to eligible persons with household income up to and including 185% of the nonfarm income official poverty line, the department shall provide coverage under this section up to the maximum income eligibility limit that can be achieved within the funds appropriated and allocated. The waiver must include the full range of prescription drugs provided under the current Medicaid program. It may not include an asset limit. Copayments for participants

must be comparable to copayments in the current Medicaid program. Coverage under this subsection must commence July 1, 2000 or as soon thereafter or possible.

Sec. KKK-3. 22 MRSA §3174-G, sub-§1-B is enacted to read:

1-B. Funding. State funds necessary to implement subsection 1-A must include state funds appropriated to the elderly low-cost drug program operated pursuant to section 254, including rebates received in that program from pharmaceutical manufacturers, that are no longer needed in that program as a result of the Medicaid waiver obtained pursuant to subsection 1-A; and, effective in fiscal year 2000-01, no less than \$5,000,000 received from the tobacco settlement in State of Maine, v. Philip Morris, et al., Kennebec County Superior Court, Docket No. CV-97-134.

Sec. KKK-4. 36 MRSA §6162-A, as amended by PL 1997, c. 643, Pt. RR, §6, is repealed.

Sec. KKK-5. 36 MRSA §6162-B is enacted to read:

§6162-B. Eligibility; appeal

An individual is eligible for the elderly low-cost drug program if that individual meets the eligibility criteria set out in Title 22, section 254 and the following additional conditions.

1. Residence. An individual must be a legal resident of the State at the time the application is filed.

2. Limitation. An individual does not qualify under this program if that individual receives state supplemental income benefits or Medicaid benefits.

3. Appeals. The eligibility decision made by the State Tax Assessor or designee is final, subject to appeal in accordance with Title 5, chapter 375.

Sec. KKK-6. Report. The Department of Human Services shall report its progress in obtaining the Medicaid prescription drug waiver to the Joint Standing Committee on Appropriations and Financial Affairs and the Joint Standing Committee on Health and Human Services no later than October 1, 1999.

Sec. KKK-7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

**HUMAN SERVICES,
DEPARTMENT OF**

**Low-cost Drugs to Maine's
Elderly**

All Other \$1,092,000

Provides funds on a one-time basis for the additional costs associated with increased eligibility under this program.

Sec. KKK-8. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other \$5,000,000

Provides funding for the State's share to expand coverage of prescription drugs for the State's elderly from the Fund for a Healthy Maine in accordance with the federal waiver referenced in section 2 of this Part.

Sec. KKK-9. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

**Medical Care - Payments to
Providers**

All Other \$23,804,694

Provides funding for the federal share of prescription drugs for the State's elderly in accordance with the federal waiver referenced in section 2 of this Part.

Sec. KKK-10. Contingent effective date. Except for that section of this Part that repeals and replaces the Maine Revised Statutes, Title 22, section 3174-G, subsection 1-A and section 6 of this Part, this

Part takes effect July 1, 2000 only if sufficient funds are available in the Fund for a Healthy Maine.

PART LLL

Sec. LLL-1. Home visiting services to parents. Beginning July 1, 2000, the Department of Human Services shall expand home visiting services to the parents of all newborn children in the State, if the parents desire the services, until those children attain 5 years of age if sufficient funds as provided in this Act are available. The program of home visiting services must include provisions allowing the family to voluntarily pay a donation, for which a sliding scale based on income is provided by the department, upon termination of services to the family and a mechanism for evaluating the home visiting programs in operation within the State.

Sec. LLL-2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Bureau of Health

All Other	\$1,620,000
Provides funds from the Fund for a Healthy Maine to expand home visiting services to the parents of newborn children.	

PART MMM

Sec. MMM-1. Department of Human Services; rulemaking. The Department of Human Services shall adopt rules necessary to:

1. Allow the provision of after-school care for students 12 to 15 years of age;
2. Allow the provision of full-day, year-round Head Start programming;
3. Maximize the procurement of federal funds available as a result of the increased state contribution in section 2; and
4. Implement any other provision of this Part.

Rules adopted pursuant to this section are routine technical rules pursuant to the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. MMM-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

**HUMAN SERVICES,
DEPARTMENT OF**

Purchased Social Services

All Other	\$1,575,000
Provides funds on a one-time basis to support systemic quality improvements such as training and facilities improvements.	

Sec. MMM-3. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

2000-01

**HUMAN SERVICES,
DEPARTMENT OF**

Purchased Social Services

All Other	\$2,282,638
Provides funds from the Fund for a Healthy Maine for additional infant, toddler and preschool child care subsidies.	

Purchased Social Services

All Other	1,050,000
Provides funds from the Fund for a Healthy Maine for additional school-aged child care subsidies.	

Purchased Social Services

All Other	525,000
Provides funds from the Fund for a Healthy Maine for after-school services to the 12-to-15-year age group. Service for this age group would necessitate a change in policy.	

Purchased Social Services

All Other	1,575,000
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Provides funds from the Fund for a Healthy Maine to support systemic quality improvements such as increased wages, training and facilities improvements.

Purchased Social Services

All Other 1,575,000

Provides funds from the Fund for a Healthy Maine to support incentives for child care providers to offer care during odd hours and in underserved geographic areas.

Service Center - Auditing, Contracting and Licensing

Positions - Legislative Count (10,000)
 Personal Services \$350,362
 All Other 42,000
 Total \$392,362

Provides funds from the Fund for a Healthy Maine for 10 additional positions to provide additional support to the Auditing, Contracting and Licensing Center.

DEPARTMENT OF HUMAN SERVICES TOTAL

\$7,400,000

PART NNN

Sec. NNN-1. 36 MRSA §2524, sub-§2, ¶C is enacted to read:

C. "Quality child care" has the meaning set forth in section 5219-Q, subsection 1.

Sec. NNN-2. 36 MRSA §2524, sub-§4 is enacted to read:

4. Quality child care. The credit allowed under subsection 1 doubles in amount if the day care service provided by the taxpayer constitutes quality child care.

Sec. NNN-3. 36 MRSA §5217, sub-§2, ¶C is enacted to read:

C. "Quality child care" has the meaning set forth in section 5219-Q, subsection 1.

Sec. NNN-4. 36 MRSA §5217, sub-§4 is enacted to read:

4. Quality child care. The credit allowed under subsection 1 doubles in amount if the day care service provided by the taxpayer constitutes quality child care.

Sec. NNN-5. 36 MRSA §5218, as amended by PL 1987, c. 772, §40, is further amended to read:

§5218. Income tax credit for child care expenses

A resident individual ~~shall be~~ is allowed a credit against the tax otherwise due under this Part in the amount of 20% of the federal tax credit allowable for child and dependent care expenses in tax year 1987; and 25% of the federal tax credit allowable for child and dependent care expenses thereafter. ~~In no case may this credit reduce the Maine income tax to less than zero.~~ This credit doubles in amount if the child care expenses were incurred through the use of quality child care. As used in this section, unless the context otherwise indicates, "quality child care" has the meaning set forth in section 5219-Q, subsection 1. The credit allowed by this section may result in a refund of up to \$500.

Sec. NNN-6. 36 MRSA §5219-Q is enacted to read:

§5219-Q. Quality child care investment credit

1. Definition. As used in this section, unless the context otherwise indicates, "quality child care" means care provided at a child care site that meets minimum licensing standards and:

A. Is accredited by an independent, nationally recognized program approved by the Department of Human Services, Office of Head Start and Child Care;

B. Utilizes recognized quality indicators for child care services approved by the Department of Human Services, Office of Head Start and Child Care; and

C. Includes provisions for parent and client input, a review of the provider's policies and procedures, a review of the provider's program records and an on-site program review.

For large, multi-function agencies, only those portions of the child care sites that were reviewed by the accrediting body may be considered quality child care sites.

2. Credit allowed. A taxpayer is allowed a credit against the tax imposed by this Part in an amount equal to the qualifying portion of expenditures paid or expenses incurred by the taxpayer for

investments in child care services as calculated pursuant to subsection 3.

3. Qualifying portion. For purposes of calculating the credit, the qualifying portion is:

A. For a corporation, 30% of up to \$30,000 of expenditures, apportioned if part of an affiliated group engaged in a unitary business; and

B. For an individual taxpayer, if the taxpayer expends at least \$10,000 in one year, \$1,000 each year for 10 years and \$10,000 at the end of the 10-year period.

4. Limitation; carry-over. The credit allowed under subsection 2 may not reduce the tax otherwise due under this Part below zero. Any unused portion of the credit may be carried over to the following year or years until exhausted.

Sec. NNN-7. Estimate and transfer revenue. The State Tax Assessor shall notify the State Controller, prior to the end of each fiscal year after the effective date of this Part, of the estimated amount of General Fund revenue lost as a result of the implementation of this Part. The State Controller shall transfer the amount from the Fund for a Healthy Maine to the General Fund in that same fiscal year.

Sec. NNN-8. Application. This Part applies to tax years beginning on or after January 1, 2001.

Sec. NNN-9. Effective date. This Part takes effect when the State Treasurer certifies to the Legislature that sufficient revenue has been credited to the Fund for a Healthy Maine to fully fund all allocations and authorized transfers during that fiscal year.

PART OOO

Sec. OOO-1. 10 MRSA §1026-M, sub-§§1, 2 and 5, as enacted by PL 1993, c. 722, Pt. C, §1 and affected by §2, are further amended to read:

1. Established. The Regional Economic Development Revolving Loan Program, referred to in this section as the "program," is established to provide financial assistance to businesses that need assistance in order to create or retain jobs. The authority shall administer the program on behalf of participating eligible economic development corporations or entities. The Regional Economic Development Revolving Loan Program Fund, referred to in this section as the "fund," is established as a revolving fund, into which must be deposited all amounts appropriated to the program, interest earnings on the fund and any amounts repaid to the program by participating corporations. Amounts in the fund must be used by the authority for purposes authorized in

this section. The authority shall reserve an amount not less than \$300,000 for loans for quality child care projects and may make loans directly to those projects.

2. Eligible corporations. The fund is open to local, regional and statewide nonprofit or governmental economic development corporations or entities, capable of providing financial assistance to businesses in order to create and protect jobs and referred to in this section as "corporations." In the case of loans to quality child care projects, the authority may also provide loans directly to eligible borrowers. To be eligible for assistance from the fund:

A. A corporation must apply to the authority to participate in the fund. The application must describe the corporation and its funding sources, the region it serves, its methods and criteria for qualifying borrowers, including any targeted lending and economic development strategies, its expertise in management assistance and financing of small and emerging businesses, the method by which it will leverage funds from other sources in an amount at least equal to 2 times the amount requested from the fund and other information the authority determines necessary;

B. A corporation must have a strategy for the creation and retention of jobs, an effective small business marketing and technical assistance plan and enough expert assistance available to it to underwrite, document and service loans and assist its clients;

C. The corporation must be determined by the authority to be able to prudently and effectively administer a direct loan fund and to coordinate with other business assistance programs and employment training and social assistance programs; ~~and~~

D. The corporation must propose performance measurements and goals and a process for monitoring compliance with proposed measurements and goals. The authority shall assist corporations in developing loan underwriting and administrative capacity and in portfolio monitoring and servicing and may establish one or more advisory boards or committees to assist corporations; and

E. A child care project must apply to the authority or to a corporation and meet the eligibility criteria for a borrower.

5. Administrative costs. A corporation may not use any money disbursed from the fund by the authority for administrative expenses, but may charge a commitment fee of up to 1% and may use interest earnings not to exceed 5% of each loan annually on

loans to cover reasonable administrative ~~and~~ technical assistance and education costs. The authority shall review and approve a corporation's administrative expenses on an annual basis. The authority may establish by rule reasonable administrative fees for its administration of the fund.

Sec. 000-2. 10 MRSA §1026-M, sub-§6, ¶¶A, B and C, as enacted by PL 1993, c. 722, Pt. C, §1 and affected by §2, are amended to read:

A. Loans may not exceed \$200,000 to a borrower, including an affiliated entity, and approval of the authority is required for any loan in excess of \$100,000. Loans for quality child care projects may not exceed \$100,000 to a borrower. Loans or portions of loans to a quality child care project to be used solely for lead abatement may not exceed \$5,000.

B. Loans for borrowers other than quality child care projects may not exceed 1/3 of the net new funds being provided to a borrower. Loans for quality child care projects may be for the total amount of new funds being provided to the borrower.

C. ~~Each~~ The authority and each corporation shall establish interest rates, amortization schedules and repayment terms for each borrower, except that loans ~~may not bear a rate of interest greater than the prime rate of interest plus 7% or~~ may not be for a term longer than 20 years: and:

(1) Loans to a quality child care project may not bear a rate of interest that, when added to the commitment fee and administrative and technical assistance cost, is less than 6% or exceeds the prime rate of interest; or

(2) Loans to any other eligible borrower may not bear a rate of interest greater than the prime rate of interest plus 7%.

Sec. 000-3. 10 MRSA §1026-M, sub-§7, ¶A, as enacted by PL 1993, c. 722, Pt. C, §1 and affected by §2, is amended to read:

A. The business for which funds are requested has 50 or fewer employees or annual sales of \$5,000,000 or less, and it consists of or involves at least one of the following:

(1) Advanced manufacturing technologies, such as value-added wood products and specialty fabricated metal and electronic products;

(2) Advanced information system technologies, such as telecommunications and environmental products and services;

(3) Advanced biological and natural resource technologies, such as aquaculture, agriculture and biotechnology;

(4) A business converting from defense dependency;

(5) A business significantly engaged in export of goods or services to locations outside the State;

(6) A business that dedicates significant resources to research and development activities; ~~and~~

(7) Other businesses with 5 or fewer employees; and

(8) A child care project that includes any business that, for compensation, provides a regular service of care and protection for any part of a day less than 24 hours to a child or children under 16 years of age whose parents work outside the home, attend an educational program or are otherwise unable to care for their children.

Sec. 000-4. 10 MRSA §1026-Q is enacted to read:

§1026-O. Early Care and Education Revolving Loan Program

1. Established. The Early Care and Education Revolving Loan Program, referred to in this section as the "program," is established to provide financial assistance to businesses providing early care and education. The authority shall administer the program, which may include direct loans to early care and education providers, as well as loans or grants by the authority to eligible economic development corporations or entities for the purpose of providing loans to early care and education providers. The Early Care and Education Revolving Loan Program Fund, referred to in this section as the "fund," is established as a revolving fund, into which must be deposited all amounts appropriated to the program, interest earnings on the fund, any amounts repaid to the program by loan recipients and funds from any other source. Amounts in the fund must be used by the authority for purposes authorized in this section.

2. Eligible corporations. The program is open to local, regional and statewide nonprofit or governmental economic development corporations or entities capable of providing financial assistance to businesses

providing early child care and education. To be eligible to participate in the program:

A. A corporation must apply to the authority to participate in the program. The application must describe the corporation and its funding sources, the region it serves, its methods and criteria for qualifying borrowers, strategies in locating qualified borrowers, its expertise in management assistance and financing of early child care and education businesses, its ability to leverage funds from other sources and other information the authority determines necessary;

B. A corporation must have a strategy for the provision of marketing and technical assistance to early child care and education businesses and enough expert assistance available to underwrite, document and process loans and assist its clients; and

C. A corporation must be determined by the authority to be able to prudently and effectively administer a direct loan fund and to coordinate the administration of a loan fund with other business assistance programs and employment training and social assistance programs.

3. Disbursements from fund. If an application is approved, the authority shall determine the amount to be disbursed to the corporation, taking into account:

A. The size of the region served by the corporation and the expected demand for loan funds in that region;

B. The demand for funds from other eligible corporations in relation to the total amount available in the fund; and

C. Whether an eligible corporation serves a geographic area or segment of potential business borrowers not served by other applicants.

The authority shall allocate funds in the program considering each of the factors in this subsection and such other factors as the authority establishes by rule. The authority may reserve up to 50% of the funds appropriated for loans to be made by the authority. Funds allocated to a corporation must be disbursed directly to and retained by the eligible corporation in accordance with the contract between the corporation and the authority. Funds must be disbursed to the corporation in the form of a loan or grant. The authority may disburse fund amounts in one lump sum or periodic disbursements.

4. Contract. A corporation that has been approved for participation in the program may enter into a contract with the authority. The contract governs the administration of the program and the use of funds.

The contract must provide that a corporation may disburse program funds statewide. The contract must provide that a corporation shall, at a minimum, conform to the following terms and conditions:

A. The corporation shall certify that it will use funds only for eligible purposes;

B. The corporation shall review each application for financial assistance, determine the feasibility of the application and approve or deny the application;

C. An officer or employee of the corporation or a member of its credit committee may not participate in any way in, or have any influence over, a decision on a project in which that officer, employee or member has a direct or indirect personal financial interest;

D. If the corporation breaches its contract with the authority or ceases to operate a loan program in substantial conformance with its proposal to the authority, the authority may withhold further funding and may require repayment of any undisbursed loan funds and loan repayments to the authority; and

E. Other terms and conditions as the authority determines appropriate.

5. Administrative costs. A corporation may not use any money disbursed from the fund by the authority for administrative expenses, but may charge a commitment fee on each loan of up to 1% and may use interest earnings not to exceed 5% of each loan annually to cover reasonable administrative and technical assistance costs. The authority shall review and approve a corporation's administrative expenses on an annual basis. The authority may establish by rule reasonable administrative fees for its origination of loans and administration of the fund.

6. Financing terms and conditions. Loans may be made from program funds under the following terms and conditions.

A. Loans may not exceed \$100,000 to an eligible borrower, except that loans or portions of loans to be used for lead abatement may not exceed \$5,000.

B. Each corporation and the authority shall establish interest rates, amortization schedules and repayment terms for each borrower, except that loans may not bear a rate of interest that, when added to the commitment fee and administrative and technical assistance cost, is less than 6% or exceeds the prime rate of interest.

C. A corporation or the authority may provide for flexible repayment terms.

D. A corporation or the authority shall require collateral for loans when available, but may subordinate to loans from other lenders.

7. Eligible borrower. A project or borrower is eligible for financial assistance under the program if the following criteria are met.

A. The business for which funds are requested must provide early child care and education services to at least 3 children who are not related to the owner of the business or any provider of early care and education services working for the borrower.

B. The borrower has insufficient access to funding for the project from other public and private sources.

C. The borrower has committed all reasonably available resources to the project, obtained financial commitment from other sources of financing and demonstrated a reasonable likelihood that the loan can be repaid.

D. In selecting child care providers to receive loan guarantees, the authority must use the following criteria:

(1) An applicant's status as a licensed or certified child care center;

(2) An applicant's interest in obtaining and ability to obtain accreditation by a nationally recognized program that utilizes recognized quality indicators for child care services that have been approved by the Office of Head Start and Child Care, including input from parents or clients or both, reviews of policies, procedures and program records and on-site program reviews;

(3) The degree of coordination with Head Start and other community programs; and

(4) The quality of the child care provider's administrative and financial management.

8. Reports. A corporation shall report at least semiannually to the authority on the projects the corporation funds and the administration of the program. The report must include a description of each borrower, the amount, type and terms of assistance each borrower received and other information the authority requires. The report must contain an accounting of the loan portfolio and any loans that are in default, as well as an accounting of the corpora-

tion's administrative and technical assistance expenses incurred and charged to the program.

9. Audit. The authority shall periodically review each corporation's participation in the program and may, at its discretion, require an independent audit at the expense of the corporation. If the authority determines that a corporation has used funds for ineligible purposes, the corporation shall repay those funds to the authority for deposit into the fund. The authority may not disburse additional funds to a corporation until the corporation has repaid the misapplied funds and has fully complied with its obligations under the contract with the authority.

10. Written procedures. The authority shall adopt rules governing the program. Rules adopted pursuant to this section are routine technical rules as defined in Title 5, chapter 375, subchapter II-A.

11. Annual report. The authority shall report by the last business day of each year on the Early Care and Education Revolving Loan Program to the joint standing committee of the Legislature having jurisdiction over business and economic development matters.

Sec. 000-5. 20-A MRSA c. 419-D is enacted to read:

CHAPTER 419-D

QUALITY CHILD CARE EDUCATION SCHOLARSHIP FUND

§11670. Quality Child Care Education Scholarship Fund

The Quality Child Care Education Scholarship Fund is created and established as a nonlapsing fund under the jurisdiction and control of the Finance Authority of Maine. All revenues credited to this fund must be distributed as scholarships based on financial need for residents of the State who are enrolled in one or more courses related to early childhood education or child development at accredited institutions of higher education. The Finance Authority of Maine shall award scholarships and adopt rules for determining eligibility, amounts, terms and conditions of scholarships. Interest earned on amounts in the fund may be used for the costs of administering the scholarships. Rules adopted pursuant to this section are routine technical rules pursuant to Title 5, chapter 375, subchapter II-A.

Sec. 000-6. 20-A MRSA §12502, as amended by PL 1995, c. 117, Pt. E, §5 and affected by §13, is further amended to read:

§12502. Teachers for Maine Program

There is established the Teachers for Maine Program to provide financial assistance to college students, graduating high school seniors and students pursuing postbaccalaureate teacher certification or child development associate certification or an associate's degree in child development who demonstrate an interest in pursuing a career in teaching in this State for postsecondary education and to teachers for advanced degree or continued study. The program recognizes outstanding graduating high school seniors, college students and students pursuing postbaccalaureate teacher certification or child development associate certification or an associate's degree in child development. The chief executive officer shall administer the program and shall establish by rule the rates of interest or fees to be charged.

Sec. 000-7. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

FINANCE AUTHORITY OF MAINE

Quality Child Care Education Scholarship Fund

All Other \$150,000

Provides funds on a one-time basis to be used for scholarships under the Quality Child Care Education Scholarship Fund pursuant to the Maine Revised Statutes, Title 20-A, chapter 419-D.

PART PPP

Sec. PPP-1. 12 MRSA §7824, sub-§4, ¶C, as amended by PL 1995, c. 502, Pt. E, §30, is further amended to read:

C. The Bureau of Parks and Lands is authorized to use ~~moneys~~ money credited to the Snowmobile Trail Fund of the Bureau of Parks and Lands for snowmobile trail acquisition, including, but not limited to, the purchase or lease of real estate, grants to snowmobile clubs, municipalities and counties for the acquisition of snowmobile trail maintenance equipment and the acquisition of easements, construction, development, planning and maintenance and for providing educational and informational materials for the use of operators of snowmobiles and for research.

Sec. PPP-2. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

CONSERVATION, DEPARTMENT OF

Bureau of Parks and Lands - Snowmobile Trail Fund

All Other \$150,000

Appropriates funds on a one-time basis from the General Fund to the Bureau of Parks and Lands, Snowmobile Trail Fund, for grants to clubs, municipalities and counties for the acquisition of snowmobile trail maintenance equipment.

PART QQQ

Sec. QQQ-1. 36 MRSA §5126, as amended by PL 1997, c. 643, Pt. HHH, §5 and affected by §10, is further amended to read:

§5126. Personal exemptions

For income tax years beginning on or after January 1, 1998 but before January 1, 1999, a resident individual is allowed \$2,400 for each exemption to which the individual is entitled for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return. For income tax years beginning on or after January 1, 1999 but before January 1, 2000, a resident individual is allowed \$2,750 for each exemption to which the individual is entitled for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return. ~~An additional exemption is not allowed for taxpayers over 65 years of age or blind~~ For income tax years beginning on or after January 1, 2000, a resident individual is allowed \$2,850 for each exemption to which the individual is entitled for the taxable year for federal income tax purposes, unless the taxpayer is claimed as a dependent on another return.

~~For tax years beginning on or after January 1, 2000, the nominal dollar amount of this section is also subject to annual adjustment by multiplying it by the percentage adjustment factor defined in section 5402, subsection 2 and rounded down to the nearest \$50. If any adjustment is made pursuant to this paragraph, it is effective for the current taxable year and is~~

incorporated into the income tax forms and instructions of the State Tax Assessor for that taxable year.

PART RRR

Sec. RRR-1. 36 MRSA §5219-Q is enacted to read:

§5219-Q. Credit for rehabilitation of historic properties

A taxpayer is allowed a credit against the tax imposed under this Part equal to the amount of credit claimed by the taxpayer under Section 47 of the Code with respect to a certified historic structure located in the State. The credit is nonrefundable and is limited to \$100,000 annually per taxpayer. A credit received under this section is subject to the same recapture provisions as apply to a credit received under Section 47 of the Code.

Sec. RRR-2. Application. This Part applies to tax years beginning on or after January 1, 2000.

Sec. RRR-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

2000-01

ADMINISTRATIVE AND FINANCIAL SERVICES, DEPARTMENT OF

Bureau of Revenue Services

All Other	\$6,000
Provides funds for one-time computer programming costs to add a line to the corporate income tax form.	

PART SSS

Sec. SSS-1. 22 MRSA §5107-G is enacted to read:

§5107-G. Biennial review of reimbursement rates

1. Review required. By January 1, 2002, and every 2 years thereafter, the commissioner shall review the rates of reimbursement for consumer-directed personal care attendant services.

2. Process. As part of the review required under subsection 1, the commissioner shall:

A. Ensure the input of consumers of those services. The commissioner may seek that input through one or more public hearings or by other

means determined reasonable by the commissioner; and

B. Seek advice and input from the Long-term Care Steering Committee established in section 5107-B to determine if the rates of reimbursement are sufficient for consumers to recruit, hire and retain personal care attendants.

3. Rules. When the commissioner determines that an increase in one or more of the reimbursement rates is necessary after the review required in this section, the commissioner shall adopt routine technical rules in accordance with Title 5, chapter 375, subchapter II-A to accomplish the increase.

Sec. SSS-2. Rulemaking. By October 1, 1999, the Department of Human Services shall adopt rules to increase the reimbursement rates for consumer-directed personal care attendants. Rules adopted pursuant to this Part are routine technical rules as defined in the Maine Revised Statutes, Title 5, chapter 375, subchapter II-A.

Sec. SSS-3. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

1999-00

2000-01

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers

All Other	\$669,209	\$1,338,417
Provides funds for the state share of the increase in the reimbursement rates of consumer-directed personal care attendants.		

Sec. SSS-4. Allocation. The following funds are allocated from the Federal Expenditures Fund to carry out the purposes of this Part.

HUMAN SERVICES, DEPARTMENT OF

Medical Care - Payments to Providers

All Other	\$617,731	\$1,186,898
Provides funds for the federal share of the increase in the reimbursement rates of consumer-directed personal care attendants.		

PART TTT

Sec. TTT-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00
HUMAN SERVICES, DEPARTMENT OF	
Donated Dental Services	
All Other	\$33,940
Provides funds on a one-time basis for contracted services of a part-time referral coordinator and related costs to administer the Donated Dental Services program that provides free dental services to financially challenged individuals.	

Sec. TTT-2. Allocation. The following funds are allocated from Other Special Revenue funds to carry out the purposes of this Part.

	2000-01
HUMAN SERVICES, DEPARTMENT OF	
Donated Dental Services	
All Other	\$33,940
Provides funds from the Fund for a Healthy Maine for contracted services of a part-time referral coordinator and related costs to administer the Donated Dental Services program that provides free dental services to financially challenged individuals.	
Head Start	
All Other	1,500,000
Provides funds from the Fund for a Healthy Maine to support full-day, year-round Head Start programming, including children up to 5 years of age.	

**DEPARTMENT OF
HUMAN SERVICES
TOTAL**

\$1,533,940

PART UUU

Sec. UUU-1. Appropriation. The following funds are appropriated from the General Fund to carry out the purposes of this Part.

	1999-00	2000-01
CORRECTIONS, DEPARTMENT OF		
Probation and Parole		
Personal Services	(\$125,000)	
Deappropriates funds no longer required.		
Administration - Corrections		
All Other		(\$125,000)
Deappropriates funds no longer required.		
Correctional Services		
All Other	\$200,000	\$125,000
Provides for the appropriation of funds to contract for services to provide enhanced workplace skills for juveniles.		
DEPARTMENT OF CORRECTIONS TOTAL	\$75,000	\$0
EXECUTIVE DEPARTMENT		
Administration - Executive - Governor's Office		
Personal Services	(\$75,000)	
Deappropriates funds no longer required.		
EXECUTIVE DEPARTMENT TOTAL	(\$75,000)	
TOTAL APPROPRIATIONS	\$0	\$0

Sec. UUU-2. Nonlapsing funds. Notwithstanding any other provision of law, an amount not to exceed \$125,000 of General Fund appropriations in the Personal Services line category on June 30, 1999 in the Probation and Parole program in the Department of Corrections may not lapse but must be carried forward to June 30, 2000. An amount not to exceed \$75,000 of General Fund appropriations in the

Personal Services line category on June 30, 1999 in the Governor's Office program in the Executive Department may not lapse but must be carried forward to June 30, 2000.

Emergency clause. In view of the emergency cited in the preamble, this Act takes effect when approved.

Effective June 4, 1999, unless otherwise indicated.

CHAPTER 402

4.P. 245 - L.D. 667

An Act to Allow the Commissioner of Inland Fisheries and Wildlife to Determine the Number of Moose Permits to Be Awarded

Emergency preamble. Whereas, Acts of the Legislature do not become effective until 90 days after adjournment unless enacted as emergencies; and

Whereas, the moose herd has grown substantially in the past decade; and

Whereas, certain areas of the State are in need of moose population control; and

Whereas, an additional 1,000 moose hunting permits should be issued for the 1999 season to further manage the size of the herd; and

Whereas, in the judgment of the Legislature, these facts create an emergency within the meaning of the Constitution of Maine and require the following legislation as immediately necessary for the preservation of the public peace, health and safety; now, therefore,

Be it enacted by the People of the State of Maine as follows:

Sec. 1. 12 MRSA §7001, sub-§1-E is enacted to read:

1-E. Antlerless moose. "Antlerless moose" means a moose without antlers or moose with antlers that are shorter in size than their ears.

Sec. 2. 12 MRSA §7463-A, sub-§2-A, as corrected by RR 1997, c. 1, §11, is amended to read:

2-A. Number of permits. The commissioner may issue moose hunting permits according to the following schedule:

A. In 1994, no more than 1,200 permits;

B. In 1995, no more than 1,400 permits;

C. In 1996 and 1997, no more than 1,500 permits; ~~and~~

D. In 1998 ~~and in each year thereafter~~, no more than 2,000 permits; ~~and~~

E. In 1999 and 2000, no more than 3,000 permits, including the 1,000 permits for the bonus chance drawing pursuant to subsection 7-A.

This subsection is repealed October 16, 2000.

Sec. 3. 12 MRSA §7463-A, sub-§2-B is enacted to read:

2-B. Moose management. To effectively manage the moose herd in the State, the commissioner may by rule establish the following:

A. The number of moose permits to be issued every year, including a percentage for antlerless moose;

B. The length of the moose hunting season; and

C. The timing of the moose hunting season.

The commissioner shall adopt rules for paragraphs B and C governing moose hunts occurring after 1999 and rules for paragraph A governing moose hunts occurring after 2000. Rules adopted under this subsection are routine technical rules as defined in Title 5, chapter 375, subchapter II-A. The commissioner shall report to the joint standing committee of the Legislature having jurisdiction over wildlife matters by February 1st of each year on proposed actions under this subsection.

Sec. 4. 12 MRSA §7463-A, sub-§3, as amended by PL 1997, c. 432, §45, is repealed.

Sec. 5. 12 MRSA §7463-A, sub-§4, as amended by PL 1995, c. 443, §1, is further amended to read:

4. Hunting permits. In accordance with the provisions of subsections 1-A ~~and~~, 2-A ~~and~~ 2-B, the commissioner may issue moose hunting permits and may establish the number of moose hunting permits to be issued for each moose hunting zone. No more than 10% of the moose hunting permits may be issued to nonresident and alien hunters. A person whose application is selected may purchase a moose hunting permit upon presentation of proof that the person possesses:

A. A valid Maine hunting license, if the person is a resident of the State; or